

NAVISTAR UPDATES

October 10, 2012 Update on Class Action Lawsuit

This is to advise that the hearing of the motion of the Company, Navistar Canada Inc., to dismiss the proposed class action brought by Cathy Baker and Joe Lucier on behalf of affected union employees of Navistar has been fixed for November 14, 2012. The matter will be heard by Justice Gates in the City of Windsor Court House, 245 Windsor Avenue, Windsor, Ontario N9A 1J2, commencing at 10:00 o'clock.

A copy of the Company's motion is available for your review if you click [here](#). Essentially the Company says that as a matter of law the Court has no jurisdiction to hear the workers' claim.

The Plaintiffs, Cathy Baker and Joe Lucier disagree.

The Company's motion is supported by a basic affidavit which can be viewed by clicking [here](#). This affidavit served to identify some key documents, such as the expired plant and office collective agreements, and the original and amended claims Cathy and Joe put forward.

There is also reference in the affidavit of the Company to some letters sent to the Financial Services Commission of Ontario by the CAW-Canada and the Company. It is the Plaintiff workers' view that these letters have nothing to do with the claim they assert, but rather deal with the ongoing dispute over pension plan wind-up matters.

The Plaintiffs have also filed an affidavit in support of their position. That affidavit, sworn by a former hourly worker named Ken Claes concisely puts forward some points for the Court's consideration. To see the complete affidavit please click [here](#).

The motion on the 14th of November is set to take a full day. It will be a hearing open to the public. All interested persons are welcome to attend.