



Canadian Commercial Corporation  
Corporation Commerciale Canadienne

August 14, 2008

Mr. Neil Gordon  
Investigator  
Project On Government Oversight (POGO)  
666 Eleventh Street, NW  
Suite 900  
Washington, DC  
20001-4542

Mr. Gordon,

We are responding to your request seeking verification of the data relating to the Canadian Commercial Corporation (CCC) in the Project On Government Oversight's (POGO) Federal Contractor Misconduct Database relating to a contract with Amertek Inc.. In order to ensure that the information contained in your database is accurate and current, we would like to provide additional information regarding this matter.

The Canadian Commercial Corporation is a Crown corporation of the Government of Canada that negotiates and executes bilateral government-to-government contracts to meet allied militaries' defence requirements. For fifty years, CCC has been responsible for helping Canada meet its commitments under the Defence Production Sharing Agreement (DPSA), where Canadian companies contracting with the United States Department of Defense (U.S. DoD) use CCC as a contracting agency for contracts over USD\$100,000. CCC acts as prime contractor and subcontracts the goods and services to Canadian companies.

With respect to the matter of Amertek Inc. v. Canadian Commercial Corporation and the Attorney General of Canada, the Ontario Court of Appeal overturned the trial decision, concluding that CCC's conduct in its dealings leading to its contract with Amertek was not grounded in fraud or deceit. The Court of Appeal further concluded that CCC did nothing with a view to harming Amertek. In entering into the contract with Amertek, CCC was trying to promote Amertek's commercial interests and to protect its own commercial interests. Amertek's request for leave to appeal to the Supreme Court of Canada was refused.

**Credibility ~ Confidence ~ Contracts • Cr dibilit  ~ Confiance ~ Contrats**

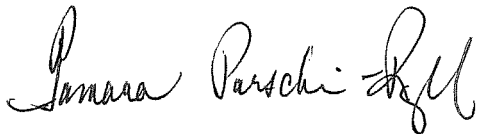
1100-50 rue O'Connor Street, Ottawa, Canada K1A 0S6  
Tel./T l. : (613) 996-0034 1-800-748-8191 (in/au Canada) • Fax/T l c. : (613) 995-2121 • www.ccc.ca

**Canada**

We ask that the above paragraph, which contains direct quotes from the Court of Appeal decision, be added to the end of the description in your database, in order to ensure accuracy. Enclosed please find a copy of the Court of Appeal decision and we would specifically refer you to paragraphs 135, 136, and 139 of the Judgment to confirm the above statements.

We thank you in advance for your cooperation in updating the information relating to the Canadian Commercial Corporation in POGO's database.

Regards,

A handwritten signature in black ink, appearing to read "Tamara Parschin-Rybkin". The signature is written in a cursive, flowing style.

Tamara Parschin-Rybkin, Q.C.  
Vice-President, Legal Services  
General Counsel and Corporate Secretary

Attachment: Court of Appeal decision