

August 22, 2025

Jim C. McKeown

jmckeown@mathewsdinsdale.com

T 416.869.2506

VIA EMAIL and E-FILING

Toronto Office

Ms. Catherine Gilbert, Registrar
Ontario Labour Relations Board
505 University Avenue, 2nd Floor
Toronto, ON M5G 2P1

Dear Ms. Gilbert:

**Re: Crane Rental Association of Ontario (“Applicant”) and International Union of Operating Engineers, Local 793 (“Responding Party”)
OLRB File No. 2973-24-R**

As the Board is aware, we are counsel for Pumpcrete Corporation and Aurora Concrete Pumping in respect of the above-noted matter.

In accordance with the Direction of the Board at paragraph 7 of the Decision dated July 22, 2025, we write with our response to the lists of issues from the other parties on August 15, 2025.

We adopt and support the lists of issues of the Labourers’ International Union of North America, Ontario Provincial Council and support their position that they are entitled to intervene in the within Application.

To be clear, we dispute the notion from the Applicant and the Responding Party that any of the issues arising from the Inventions from ourselves or the Labourers’ International of North America, Ontario Provincial District Council can be determined on a “no *prima facie* case” basis without a hearing of evidence, or that any particulars from us should not be considered on the basis of timeliness. We will respond to any such motions in the event that the Applicant elects to pursue any of those positions, and note that they are not proper matters that may be raised by the Responding Party to the Application. We maintain the positions in our correspondence of August 15, 2025 that, *inter alia* and without limitation, the appropriate course of action is for the Board in consultation with the parties to arrange a procedure for the determining the issues therein including for processes for production and receiving evidence.

Also as previously stated, we are continuing to review the Applicant’s and Responding Party’s lengthy representations filed on August 8, 2025 and reserve the right to file fulsome response representations.

Yours truly,

Mathews, Dinsdale & Clark LLP



Jim C. McKeown
JCM:kt

cc: Jeremy Schwartz and Natalie Caballero, *Stringer LLP*
Kathryn Bell and Caitlin Hanak, *IUOE, Local 793*
Kristaq Lala, Emily Li, and Ben Katz, *Goldblatt Partners*
Client