Court File No. BK-26-03364251-0032

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF NATIONAL TRAFFIC SAFETY MANAGEMENT INC.

SECOND SUPPLEMENTARY RESPONDING MOTION RECORD OF LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 837
(Motion returnable November 2, 2026)

November 1, 2026

WRIGHT HENRY LLP
200 Wellington Street West, Suite 602
Toronto ON M5V 3C7

Tracey Henry, LSO# 46897B
thenry@wrighthenry.ca

Danielle Stampley, LSO# 69487C
dstampley@wrighthenry.ca

Alex St. John, LSO# 72406H
astjohn@wrighthenry.ca

Nora Parker, LSO# 82851K
nparker@wrighthenry.ca
Tel: (416) 306-8280

Lawyers for the Labourers' International Union of North America, Local 837

TO: **CHAITONS LLP**
5000 Yonge Street, 10th Floor
Toronto ON M2N 7E9

Harvey Chaiton, LSO#21592F
harvey@chaitons.com
Tel: 416-218-1129

Maya Poliak, LSO#54100A
maya@chaitons.com
Tel: 416-218-1161

Maleeha Anwar, LSO#92961B
manwar@chaitons.com
Tel: 416-218-1128

Lawyers for National Traffic Safety Management Inc.

AND TO: **SERVICE LIST**

INDEX

Tab	Description	Page No. in PDF
A.	Affidavit of Trevor Popovich, sworn November 1, 2026	4

Court File No. BK-26-03364251-0032

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF NATIONAL TRAFFIC SAFETY MANAGEMENT INC.

AFFIDAVIT OF TREVOR POPOVICH

I, Trevor Popovich, of the City of Welland, in the Province of Ontario, **MAKE OATH AND SAY**:

1. I am a Business Representative for the Labourers' International Union of North America, Local 837 ("**Local 837**" or the "**Union**") and as such I have knowledge of the matters described herein. Local 837 represents approximately 49 current active employees of National Traffic. During the busier construction season, the Company may employ more than 50 Union members. I am the Business Representative assigned to the bargaining unit of employees at National Traffic.

2. I make this affidavit in response to the Affidavit of Antonio Bruno, dated October 31, 2026.

3. I have reviewed the email from Julia Kmetyk to Harvey Chaiton, dated October 30, 2026. I disagree with Ms. Kmetyk's account of our telephone conversation.

4. I called Ms. Kmetyk on October 30, 2026 after having spoken to another member of the National Traffic bargaining unit who, in reference to the Employee Impact Statement, told me that some of the employees may have felt pressured to the sign something that they didn't understand. I reached out to Ms. Kmetyk because she had previously reached out to me about what the Union was doing to collect the outstanding pension and benefit remittances and she seemed interested in what was happening with the Company.

5. Ms. Kmetyk was initially hesitant to discuss the Employee Impact Statement with me but part way through the conversation she stated that she had circulated the Employee Impact Statement. I responded that I wished she had come to me first to discuss the employees' concerns. Ms. Kmetyk insisted that Mr. Bruno had been making the required payments to the Union for the employee benefits and that all of the debt to the Union had been incurred by the previous owners. When I advised her that since Mr. Bruno had taken over, the Company had paid only a fraction of the benefits costs and that for the last two weeks he had stopped paying altogether, she was adamant that Mr. Bruno was helping make things better for the employees.

6. Ms. Kmetyk also told me that there is rumour spreading among employees that if Ramudden purchases the Company they will be laid off or receive fewer hours because Ramudden will bring its own employees from other areas. Ms. Kmetyk did not tell me the source of this rumour, but she did say that it was causing employees to be upset and fearful.

7. I reiterated that I wished she had come to me with these concerns. She seemed upset the Union had not come out to discuss the potential Ramudden purchase directly with National Traffic employees. I responded that I was not aware of the Ramudden bid myself until earlier in the week. I added that and that members can always call me with questions and I would try to assist them.

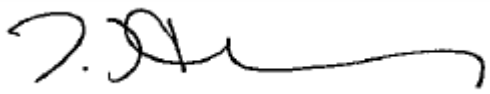
8. My tone was pleasant throughout. At no time did I ask her to withdraw her support for Mr. Bruno; rather, I wanted to ensure that she had the correct information because she appeared to be misinformed about the status of the pension and benefits remittances from the Company and the impact of the potential sale to Ramudden.

9. When Ms. Kmetyk said "if speaking out costs me my job, who will stand behind me", I responded "The Union will, you are a member", or words to that effect.

10. When reviewing the email from Ms. Kmetyk, I see that it was sent from a National Traffic email address (jkmetyk@ntsminc.com). Bargaining unit members are not assigned company email addresses. Only members of management and office staff have company email addresses. Ms. Kmetyk also advised me that she had started training crash truck drivers. It appears to me that Ms. Kmetyk is now a member of management.

11. I make this affidavit in support of the Union's position on the motion and for no improper purpose.

SWORN REMOTELY by Trevor Popovich stated as being located in the City of Welland, in the Province of Ontario, before me at the City of Toronto in the Province of Ontario, on November 1, 2026, in accordance with O. Reg 431/20, *Administering Oath or Declaration Remotely*.



Commissioner for Taking Affidavits
(or as may be)

Tracey Henry, LSO# 46897B

Trevor Popovich (Nov 1, 2026 15:43:30 EST)

TREVOR POPOVICH

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF NATIONAL TRAFFIC SAFETY MANAGEMENT INC.
Applicant

Court File No. BK-26-03364251-0032

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

PROCEEDING COMMENCED AT
TORONTO

SECOND SUPPLEMENTARY RESPONDING MOTION RECORD OF LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 837
(Motion returnable November 2, 2026)

WRIGHT HENRY LLP
200 Wellington Street West, Suite 602
Toronto ON M5V 3C7

Tracey Henry, LSO# 46897B
thenry@wrighthenry.ca

Danielle Stampley, LSO# 69487C
dstampley@wrighthenry.ca

Alex St. John, LSO# 72406H
astjohn@wrighthenry.ca

Nora Parker, LSO# 82851K
nparker@wrighthenry.ca
Tel: (416) 306-8280

Lawyers for the Labourers' International Union of North America, Local 837