

Federal Court



Cour fédérale

Date: 20230121

Docket: T-1542-12

Citation: 2023 FC 106

Ottawa, Ontario, January 21, 2023

PRESENT: Madam Justice McDonald

CLASS PROCEEDING

BETWEEN:

**CHIEF SHANE GOTTFRIEDSON, on behalf of the
TK'EMLUPS TE SECWÉPEMC INDIAN BAND and the
TK'EMLUPS TE SECWÉPEMC INDIAN BAND, and
CHIEF GARRY FESCHUK, on behalf of the SEHELTL INDIAN BAND
and the SEHELTL INDIAN BAND**

Plaintiffs

and

**HIS MAJESTY THE KING IN RIGHT OF CANADA
as represented by THE ATTORNEY GENERAL OF CANADA**

Defendant

ORDER

UPON MOTION by the Plaintiffs for an Order approving the form and content of the notice of proposed settlement and settlement approval hearing (the “Notice”), approving the method of dissemination of the Notice (the “Notice Plan”), and approving the proposed correction to the list of Class Members;

AND UPON READING the Notice of Motion, and the Affidavit of W. Cory Wanless, sworn January 19, 2023;

AND UPON BEING ADVISED that the Defendant consents to this Order;

AND UPON hearing oral submissions on January 20, 2023;

THIS COURT ORDERS that:

1. The Order of Justice McDonald dated September 6, 2022 is hereby amended to correct the list of Band Class members (the “Class List”) in the form set out in Schedule “A”;
2. The Notice substantially in the form set out in Schedule “B” hereto is approved;
3. The Notice Plan set out in Schedule “C” hereto is approved;
4. The costs associated with the Notice Plan, including the costs of translating the Notices, shall be paid by the Defendant, regardless of whether the proposed settlement is approved, in an amount not to exceed \$20,000;
5. Class Counsel shall disseminate the Notice to all Class Members on the Class List, in accordance with the Notice Plan;
6. Class Counsel shall receive any Class Member statements of support or objection that are delivered by 11:59 p.m. PDT on February 20, 2023, and shall deliver any statements of support or objection received to the Court and to the Defendant by February 22, 2023;

7. Class Counsel shall receive any Class Member requests to make oral submissions at the Settlement Approval Hearing that are delivered by 11:59 p.m. PDT on February 20, 2023, and shall inform the Court and the Defendant of any such requests by February 22, 2023;
8. No person may bring any action or take any proceeding against Class Counsel or any of their respective past and current officers, directors, employees, parents, subsidiaries, agents, partners, associates, representatives, predecessors, successors, beneficiaries or assigns for any matter in any way relating to the implementation of the terms of the Notice Plan; and
9. There shall be no costs of this Motion.

"Ann Marie McDonald"

Judge

Schedule "A"

List of Class Members

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
1	NT	Deh Gah Got'ie Council	Fort Providence (Sacred Heart)	IRS Located in Community
2	NT	Deline First Nation dissolved Sept 1, 2016 and became Deline Got'ine Government	Federal Hostel at Fort Franklin; Inuvik (Grollier Hall)	IRS Located in Community; IRS Attended by Member(s)
3	NT	Deninu K'ue FN	Fort Resolution (St. Joseph's)	IRS Located in Community
4	NT	Ka'a'gee Tu FN	Fort Smith (Breynat Hall); Fort Simpson (Lapointe Hall)	IRS Attended by Member(s)
5	NT	Katloodeeche FN	Fort Smith - Grandin College	IRS Located in Community
6	NT	Liidlii Kue FN	Fort Simpson (Lapointe Hall)	IRS Located in Community
7	NT	Lutsel K'e Dene FN	Fort Resolution (St. Joseph's)	IRS Attended by Member(s)
8	NT	Nahanni Butte Dene Band	Fort Simpson (LaPointe Hall)	IRS Attended by Member(s)
9	NT	Smith's Landing First Nation	Holy Angels (Fort Chipewyan, École des Saint-Ange's); Fort Simpson (Bompas Hall); Fort Smith (Breynat Hall); Fort Smith - Grandin College	IRS Located in Community; IRS Attended by Member(s)
10	NT	West Point FN	Fort Providence (Sacred Heart)	IRS Attended by Member(s)
11	BC	Adams Lake IB	Kamloops	IRS Attended by Member(s)
12	BC	Ahousaht	Christie (Clayoquot; Kakawis); Ahousaht	IRS Located in Community
13	BC	Ashcroft Indian Band	St. George's (Lytton)	IRS Located in Community
14	BC	?aq'am	Cranbrook (St. Eugene's, Kootenay)	IRS Located in Community
15	BC	Bonaparte IB	Kamloops	IRS Attended by Member(s)
16	BC	Boothroyd IB	St. George's (Lytton)	IRS Attended by Member(s)
17	BC	Beecher Bay FN	Alberni	IRS Attended by Member(s)
18	BC	590 Bridge River IB	Kamloops; St. Mary's (Mission)	IRS Attended by Member(s)
19	BC	Canim Lake Band	Cariboo (St. Joseph's, William's Lake)	IRS Located in Community
20	BC	Cayoose Creek IB	Cariboo (St. Joseph's, William's Lake); Kamloops; St. George's (Lytton); St. Mary's (Mission)	IRS Attended by Member(s)
21	BC	Chawathil FN	St. Mary's (Mission)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
22	BC	Cheslatta Carrier Nation	Lejac (Fraser Lake)	IRS Attended by Member(s)
23	BC	Cheam First Nation	St. Mary's (Mission)	IRS Attended by Member(s)
24	BC	Coldwater IB	Kamloops	IRS Located in Community
25	BC	Cook's Ferry IB	St. George's (Lytton)	IRS Attended by Member(s)
26	BC	Cowichan Tribes	Kuper Island; St. Mary's (Mission)	IRS Located in Community; IRS Attended by Member(s)
27	BC	Da'naxda'xw/Awaetlala Nation	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home)	IRS Located in Community
28	BC	Douglas First Nation	St. Mary's (Mission)	IRS Attended by Member(s)
29	BC	Esdilagh First Nations	Cariboo (St. Joseph's, William's Lake)	IRS Located in Community
30	BC	Ehattesht Chinehkint	Christie (Clayoquot, Kakawis)	IRS Located in Community; IRS Attended by Member(s)
31	BC	Esk'etemc	Cariboo (St. Joseph's, William's Lake)	IRS Located in Community
32	BC	Fort Nelson First Nation	Kamloops	IRS Attended by Member(s)
33	BC	Gitanmaax	Lejac (Fraser Lake); Alberni; Edmonton (Poundmaker, replaced Red Deer Industrial)	IRS Attended by Member(s)
34	BC	Gitan'yow Huwilp Society	Alberni	IRS Attended by Member(s)
35	BC	Gitga'at	Edmonton (Poundmaker, replaced Red Deer Industrial); Alberni	IRS Attended by Member(s)
36	BC	Gitsegukla IB	Edmonton (Poundmaker, replaced Red Deer Industrial); Alberni	IRS Attended by Member(s)
37	BC	Gitxaala Nation	Coqualeetza from 1924 to 1940; Alberni; St. George's (Lytton); Edmonton (Poundmaker, replaced Red Deer Industrial)	IRS Attended by Member(s)
38	BC	Hagwilget Village Council	Lejac (Fraser Lake)	IRS Attended by Member(s)
39	BC	Haisla FN	Kitimaat	IRS Located in Community
40	BC	Halalt FN	Kuper Island	IRS Attended by Member(s)
41	BC	Heiltsuk Nation	Alberni	IRS Attended by Member(s)
42	BC	High Bar First Nation	Kamloops	IRS Attended by Member(s)
43	BC	Homalco IB	Kamloops; Sechelt; St. Mary's (Mission)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
44	BC	Hupačasath FN	Alberni	IRS Attended by Member(s)
45	BC	Huu-ay-aht FNs	Alberni	IRS Attended by Member(s)
46	BC	Kanaka Bar IB	St. George's (Lytton)	IRS Located in Community; IRS Attended by Member(s)
47	BC	Kitasoo Xai'xais Nation	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home); Alberni	IRS Attended by Member(s)
48	BC	Kispiox Band #532	Edmonton (Poundmaker, replaced Red Deer Industrial)	IRS Attended by Member(s)
49	BC	Kitselas FN	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home)	IRS Attended by Member(s)
50	BC	Klahoose First Nation	Sechelt	IRS Attended by Member(s)
51	BC	K'ómoks First Nation	Kuper Island; Sechelt	IRS Located in Community
52	BC	Kwantlen FN	Kuper Island; St. Mary's (Mission)	IRS Attended by Member(s)
53	BC	Kwikwetlem First Nation	St. Mary's (Mission)	IRS Attended by Member(s)
54	BC	Leq'amel FN	St. Mary's (Mission)	IRS Attended by Member(s)
55	BC	Lheidli Tienneh	Lejac (Fraser Lake)	IRS Located in Community
56	BC	Lhoosk'uz Dené Nation	Cariboo (St. Joseph's, William's Lake)	IRS Attended by Member(s)
57	BC	Lil'wat Nation	St. Mary's (Mission)	IRS Attended by Member(s)
58	BC	Little Shuswap Lake Band	Kamloops	IRS Located in Community; IRS Attended by Member(s)
59	BC	Lower Kootenay IB	Cranbrook (St. Eugene's, Kootenay)	IRS Located in Community
60	BC	Lower Nicola IB	Kamloops; St. George's (Lytton); Lejac (Fraser Lake); Coqualeetza from 1924 to 1940; St. Mary's (Mission); Cranbrook (St. Eugene's, Kootenay); Sechelt; Cariboo (St. Joseph's, William's Lake)	IRS Located in Community
61	BC	Lower Similkameen IB	Kamloops; Cranbrook (St. Eugene's, Kootenay)	IRS Attended by Member(s)
62	BC	Lyackson First Nation	Kuper Island	IRS Attended by Member(s)
63	BC	Lytton First Nation	St. George's (Lytton)	IRS Located in Community
64	BC	Malahat Nation	Kuper Island	IRS Attended by Member(s)
65	BC	McLeod Lake IB	Lejac (Fraser Lake)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
66	BC	Musqueam IB	St. Paul's (Squamish, North Vancouver)	IRS Attended by Member(s)
67	BC	Nadleh Whut'en	Lejac (Fraser Lake)	IRS Attended by Member(s)
68	BC	Namgis FN	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home)	IRS Located in Community
69	BC	Nanoose FN	Alberni	IRS Attended by Member(s)
70	BC	Nakazdli Whut'en	Lejac (Fraser Lake); Cariboo (St. Joseph's, William's Lake); Kamloops	IRS Attended by Member(s)
71	BC	Nazko FN	Cariboo (St. Joseph's, William's Lake)	IRS Located in Community; IRS Attended by Member(s)
72	BC	Nee Tahi Buhn IB	Lejac (Fraser Lake)	IRS Attended by Member(s)
73	BC	Neskonlith FN	Kamloops	IRS Attended by Member(s)
74	BC	Nisga'a Village of Gitlaxt'aamiks formerly New Aiyansh	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home)	IRS Attended by Member(s)
75	BC	Nooaitch IB	Kamloops	IRS Attended by Member(s)
76	BC	Nuxalk FN	Alberni; Cariboo (St. Joseph's, William's Lake); Coqualeetza from 1924 to 1940; St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home)	IRS Attended by Member(s)
77	BC	Okanagan IB	Kamloops	IRS Attended by Member(s)
78	BC	Old Masset Village Council	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home)	IRS Attended by Member(s)
79	BC	Oregon Jack Creek	Kamloops	IRS Attended by Member(s)
80	BC	Osoyoos IB	Kamloops; Cranbrook (St. Eugene's, Kootenay)	IRS Located in Community
81	BC	Peters FN	Kamloops	IRS Located in Community
82	BC	Penelakut Tribe	Kuper Island	IRS Located in Community
83	BC	Penticton IB	Kamloops; Coqualeetza from 1924 to 1940; Cranbrook (St. Eugene's, Kootenay)	IRS Located in Community
84	BC	Prophet River FN	Lejac (Fraser Lake); Lower Post	IRS Attended by Member(s)
85	BC	Red Bluff IB (Lhtako Dene Nation)	Lejac (Fraser Lake); St. Mary's (Mission); Cariboo (St. Joseph's, William's Lake)	IRS Attended by Member(s)
86	BC	Saulteau First Nations	Grouard to December 1957; Edmonton (Poundmaker, replaced Red Deer Industrial).	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
87	BC	Seabird Island Band	St. Mary's (Mission); Coqualeetza from 1924 to 1940; Kamloops	IRS Located in Community; IRS Attended by Member(s)
88	BC	Sechelt FN	Sechelt	IRS Located in Community
89	BC	Shackan IB	Kamloops	IRS Located in Community
90	BC	Shuswap Band	Cranbrook (St. Eugene's, Kootenay); Kamloops	IRS Located in Community
91	BC	Simpcw FN	Kamloops	IRS Attended by Member(s)
92	BC	Skatin	St. Mary's (Mission); Coqualeetza from 1924 to 1940	IRS Located in Community
93	BC	Skawahlook FN	Kuper Island	IRS Attended by Member(s)
94	BC	Skeetchestn IB	Kamloops	IRS Attended by Member(s)
95	BC	Songhees Nation	Kuper Island	IRS Attended by Member(s)
96	BC	Spuzzum First Nation	St. Mary's (Mission); St. George's (Lytton); Kamloops	IRS Attended by Member(s)
97	BC	Stellat'en FN	Lejac (Fraser Lake)	IRS Attended by Member(s)
98	BC	Sts'ailes	St. Mary's (Mission)	IRS Attended by Member(s)
99	BC	Stswecem'c Xgat'tem First Nation	Kamloops; Coqualeetza from 1924 to 1940; Cariboo (St. Joseph's, William's Lake)	IRS Located in Community
100	BC	Sliammon FN (Tla'amin Nation)	Sechelt	IRS Attended by Member(s)
101	BC	Soowahlie IB	Coqualeetza from 1924 to 1940	IRS Attended by Member(s)
102	BC	Squamish Nation	St. Paul's (Squamish, North Vancouver)	IRS Located in Community
103	BC	Shxwhay Village	St. Mary's (Mission)	IRS Attended by Member(s)
104	BC	Siska Indian Band	St. George's (Lytton)	IRS Located in Community
105	BC	Skidegate FN	Edmonton (Poundmaker, replaced Red Deer Industrial)	IRS Attended by Member(s)
106	BC	Skwah First Nation	St. Mary's (Mission)	IRS Attended by Member(s)
107	BC	Splatsin	Cranbrook (St. Eugene's, Kootenay); Kamloops	IRS Attended by Member(s)
108	BC	Sumas FN	St. Mary's (Mission)	IRS Located in Community
109	BC	Tahltan Band	Lower Post	IRS Attended by Member(s)
110	BC	Taku River Tlingit FN	Lower Post	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
111	BC	T'it'q'et	St. Mary's (Mission)	IRS Attended by Member(s)
112	BC	Tk'emlups te Secwepemc	Kamloops	IRS Located in Community
113	BC	Tla-o-qui-aht FN	Christie (Clayoquot, Kakawis); Ahousaht	IRS Located in Community
114	BC	Tl'etinqox Government	Cariboo (St. Joseph's, William's Lake)	IRS Attended by Member(s)
115	BC	Toosey IB	Cariboo (St. Joseph's, William's Lake)	IRS Attended by Member(s)
116	BC	Tsartlip FN	Kuper Island	IRS Attended by Member(s)
117	BC	Tsawwassen FN	St. Mary's (Mission)	IRS Attended by Member(s)
118	BC	Tsawout First Nation	St. Mary's (Mission)	IRS Attended by Member(s)
119	BC	Tsal'ah (Seton Lake IB)	Kamloops	IRS Attended by Member(s)
120	BC	Tseshah FN	Alberni	IRS Located in Community
121	BC	Tsleil-Waututh Nation	St. Paul's (Squamish, North Vancouver)	IRS Located in Community
122	BC	Tsideldel FN	Cariboo (St. Joseph's, William's Lake)	IRS Attended by Member(s)
123	BC	Ts'kw'aylaxw First Nation	Kamloops	IRS Located in Community
124	BC	T'Sou-ke FN	Kuper Island	IRS Attended by Member(s)
125	BC	Tzeachten FN	St. Mary's (Mission); Coqualeetza from 1924 to 1940	IRS Located in Community; IRS Attended by Member(s)
126	BC	Uchucklesaht Tribe Government	Alberni	IRS Located in Community
127	BC	Ulkatcho IB	Anahim Lake Dormitory (September 1968 to June 1977)	IRS Located in Community
128	BC	Upper Nicola Band	Kamloops	IRS Attended by Member(s)
129	BC	Westbank FN	Cranbrook (St. Eugene's, Kootenay); Kamloops	IRS Attended by Member(s)
130	BC	West Moberly First Nations	Grouard to December 1957	IRS Attended by Member(s)
131	BC	Wet'suwet'en First Nation	Lejac (Fraser Lake); Kamloops; St. Mary's (Mission)	IRS Located in Community; IRS Attended by Member(s)
132	BC	We Wai Kai Nation	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home); Alberni	IRS Attended by Member(s)
133	BC	We Wai Kum FN	St. Michael's (Alert Bay Girls' Home, Alert Bay Boys' Home)	IRS Attended by Member(s)
134	BC	Williams Lake IB	Cariboo (St. Joseph's, William's Lake)	IRS Located in Community

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
135	BC	Whispering Pines Clinton Indian Band	Kamloops; Cariboo (St. Joseph's, William's Lake)	IRS Located in Community
136	BC	Witset FN	Lejac (Fraser Lake)	IRS Attended by Member(s)
137	BC	Xatsull FN (Soda Creek)	Cariboo (St. Joseph's, William's Lake); Coqualeetza from 1924 to 1940; Kamloops; Lejac (Fraser Lake)	IRS Located in Community
138	BC	Xeni Gwet'in First Nations Government	Kamloops; Cariboo (St. Joseph's, William's Lake)	IRS Attended by Member(s)
139	BC	Yekooche FN	Lejac (Fraser Lake)	IRS Attended by Member(s)
140	BC	Yunesit'in Government	Cariboo (St. Joseph's, William's Lake)	IRS Attended by Member(s)
141	YT	Kwanlin Dün First Nation	Yukon Hall (Whitehorse/Protestant Hostel); Coudert Hall (Whitehorse Hostel/Student Residence - replaced by Yukon Hall); Whitehorse Baptist Mission	IRS Located in Community
142	YT	Tr'ondëk Hwëch'in	St. Paul's Hostel from September 1920 to June 1943	IRS Located in Community
143	YT	First Nation of Na-Cho Nyäk Dun	Carcross (Chooulta)	IRS Located in Community; IRS Attended by Member(s)
144	YT	White River First Nation	Lower Post	IRS Located in Community
145	AB	Alexis Nakota Sioux Nation	Edmonton (Poundmaker, replaced Red Deer Industrial)	IRS Attended by Member(s)
146	AB	Athabasca Chipewyan FN	Holy Angles (Fort Chipewyan, École des Saint-Ange's)	IRS Located in Community
147	AB	Bearspaw FN	Morley (Stony/Stoney, replaced McDougall Orphanage)	IRS Located in Community
148	AB	Beaver Lake Cree Nation	Blue Quills (Saddle Lake, Lac la Biche, Sacred Heart)	IRS Located in Community
149	AB	Blood Tribe	St. Mary's (Blood, Immaculate Conception); St. Paul's (Blood)	IRS Located in Community
150	AB	Cold Lake FNs	Blue Quills (Saddle Lake, Lac la Biche, Sacred Heart)	IRS Attended by Member(s)
151	AB	Dene Tha' First Nation	Assumption (Hay Lake)	IRS Located in Community
152	AB	Driftpile Cree Nation	Joussard (St. Bruno's) Desmarais (Wabisca Lake, St. Martin's, Wabisca Roman Catholic)	IRS Located in Community; IRS Attended by Member(s)
153	AB	Duncan's First Nation	Grouard to December 1957	IRS Attended by Member(s)
154	AB	Ermineskin Tribe	Ermineskin (Hobbema)	IRS Located in Community
155	AB	Enoch Cree Nation	Edmonton, Ermineskin (Hobbema)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
156	AB	Fort McKay FN	Holy Angels (Fort Chipewyan, École des Saint-Anges)	IRS Attended by Member(s)
157	AB	Frog Lake FN	Blue Quills (Saddle Lake, Lac la Biche, Sacred Heart)	IRS Attended by Member(s)
158	AB	Horse Lake FN	Sturgeon Lake (Calais, St. Francis Xavier)	IRS Attended by Member(s)
159	AB	Kapawe'no First Nation	Grouard to December 1957	IRS Located in Community
160	AB	Kehewin Cree Nation	Blue Quills (Saddle Lake, Lac la Biche, Sacred Heart); Onion Lake Anglican (see Prince Albert)	IRS Located in Community; IRS Attended by Member(s)
161	AB	Little Red River Cree Nation	Fort Vermilion (St. Henry's)	IRS Attended by Member(s)
162	AB	Louis Bull Tribe	Ermineskin (Hobbema)	IRS Attended by Member(s)
163	AB	Lubicon Lake Band #453	Joussard (St. Bruno's)	IRS Attended by Member(s)
164	AB	Mikisew Cree First Nation	Holy Angels (Fort Chipewyan, École des Saint-Anges)	IRS Located in Community
165	AB	Montana FN	Ermineskin (Hobbema)	IRS Attended by Member(s)
166	AB	Paul First Nation	St. Albert (Youville); Edmonton (Poundmaker, replaced Red Deer Industrial)	IRS Located in Community
167	AB	Piikani Nation	Sacred Heart (Peigan, Brocket); St. Cyprian (Queen Victoria's Jubilee Home, Peigan)	IRS Located in Community
168	AB	Saddle Lake Cree Nation	Blue Quills (Saddle Lake, Lac la Biche, Sacred Heart)	IRS Located in Community
169	AB	Samson Cree Nation	Ermineskin (Hobbema)	IRS Located in Community
170	AB	Sawridge FN	Grouard to December 1957	IRS Attended by Member(s)
171	AB	Siksika Nation	Crowfoot (Blackfoot, St. Joseph's, Ste. Trinite)	IRS Attended by Member(s)
172	AB	Stoney FN	Morley (Stony/Stoney, replaced McDougall Orphanage)	IRS Located in Community
173	AB	Sturgeon Lake Cree Nation	Sturgeon Lake (Calais, St. Francis Xavier)	IRS Located in Community
174	AB	Sucker Creek FN	Joussard (St. Bruno's)	IRS Located in Community
175	AB	Sunchild First Nation	Ermineskin (Hobbema)	IRS Attended by Member(s)
176	AB	Tallcree Tribal Government	Fort Vermilion (St. Henry's)	IRS Attended by Member(s)
177	AB	Tsuut'ina Nation	Sarcee (St. Barnabas)	IRS Located in Community
178	AB	Whitefish Lake IB	Blue Quills (Saddle Lake, Lac la Biche, Sacred Heart)	IRS Attended by Member(s)
179	AB	Woodland Cree FN	Joussard (St. Bruno's)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
180	SK	Ahtahkakoop Cree Nation	Kamloops	IRS Attended by Member(s)
181	SK	Beardy's & Okemasis First Nation	St. Michael's (Duck Lake)	IRS Attended by Member(s)
182	SK	Big Island Lake Cree Nation	Beauval (Lac la Plonge)	IRS Attended by Member(s)
183	SK	Buffalo River Dene Nation	Beauval (Lac la Plonge)	IRS Located in Community; IRS Attended by Member(s)
184	SK	Canoe Lake Cree First Nation	Beauval (Lac la Plonge)	IRS Attended by Member(s)
185	SK	Carry the Kettle FN	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Attended by Member(s)
186	SK	Clearwater River Dene Nation	Beauval (Lac la Plonge)	IRS Located in Community
187	SK	Cote FN	Cote Improved Federal Day School (September 1928 to June 1940)	IRS Located in Community
188	SK	Cowessess FN #73	Marieval (Cowessess, Crooked Lake)	IRS Located in Community
189	SK	English River FN	Beauval (Lac la Plonge)	IRS Located in Community
190	SK	Fishing Lake FN	Muscowequan (Lestock, Touchwood)	IRS Located in Community
191	SK	George Gordon FN	Gordon's	IRS Located in Community
192	SK	Kahkewistahaw FN	Marieval (Cowessess, Crooked Lake)	IRS Attended by Member(s)
193	SK	Keeseekoos FN	St. Philip's	IRS Attended by Member(s)
194	SK	Key FN	St. Philip's	IRS Attended by Member(s)
195	SK	Lac La Ronge IB	Prince Albert (Onion Lake, St. Alban's, All Saints, St. Barnabas, Lac La Ronge)	IRS Located in Community
196	SK	Little Black Bear Band	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Attended by Member(s)
197	SK	Little Pine First Nation	Thunderchild (Delmas, St. Henri); Onion Lake Anglican (see Prince Albert)	IRS Attended by Member(s)
198	SK	Montreal Lake Cree Nation	Prince Albert (Onion Lake, St. Alban's, All Saints, St. Barnabas, Lac La Ronge)	IRS Located in Community
199	SK	Muskoday First Nation	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Attended by Member(s)
200	SK	Muskowekwan First Nation	Muscowequan (Lestock, Touchwood)	IRS Located in Community
201	SK	Nekaneet First Nation	Gordon's	IRS Attended by Member(s)
202	SK	Ocean Man First Nation #69	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
203	SK	Ochapowace Nation	Round Lake	IRS Located in Community
204	SK	Okanese FN	File Hills	IRS Located in Community
205	SK	Onion Lake	Prince Albert (Onion Lake, St. Alban's, All Saints, St. Barnabas, Lac La Ronge) ; St. Anthony's (Onion Lake, Sacred Heart)	IRS Located in Community
206	SK	Pasqua First Nation	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Located in Community
207	SK	Piapot First Nation	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Located in Community
208	SK	Pheasant Rump Nakota FN #68	Marieval (Cowessess, Crooked Lake); Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Located in Community; IRS Attended by Member(s)
209	SK	Red Earth First Nation	Prince Albert (Onion Lake, St. Alban's, All Saints, St. Barnabas, Lac La Ronge)	IRS Located in Community
210	SK	Star Blanket Cree Nation	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Located in Community
211	SK	Sweetgrass First Nation	St. Anthony's (Onion Lake, Sacred Heart)	IRS Attended by Member(s)
212	SK	Thunderchild First Nation	Onion Lake Anglican(see Prince Albert); Thunderchild (Delmas, St. Henri)	IRS Located in Community; IRS Attended by Member(s)
213	SK	Wahpeton Dakota Nation	Prince Albert (Onion Lake, St. Alban's, All Saints, St. Barnabas, Lac La Ronge)	IRS Attended by Member(s)
214	SK	White Bear First Nations	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Attended by Member(s)
215	SK	Zagime Anishinabek (Formerly Sakimay FNs)	Marieval (Cowessess, Crooked Lake)	IRS Located in Community
216	SK	Waterhen Lake FN	Beauval (Lac la Plonge)	IRS Attended by Member(s)
217	MB	Berens River FN	Portage la Prairie; Brandon	IRS Attended by Member(s)
218	MB	Bunibonibee Cree Nation	Birtle; Brandon; Portage la Prairie	IRS Attended by Member(s)
219	MB	Bloodvein River FN	Assiniboia (Winnipeg)	IRS Attended by Member(s)
220	MB	Little Black River FN	Dauphin (replace McKay)	IRS Attended by Member(s)
221	MB	Ebb and Flow First Nation	Sandy Bay	IRS Attended by Member(s)
222	MB	Fisher River Cree Nation	Birtle	IRS Attended by Member(s)
223	MB	Gambler First Nation	Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
224	MB	Lake Manitoba First Nation	Assiniboia (Winnipeg)	IRS Attended by Member(s)
225	MB	Sagkeeng FN	Fort Alexander (Pine Falls)	IRS Located in Community; IRS Attended by Member(s)
226	MB	Long Plain FN	Brandon; Portage la Prairie	IRS Located in Community; IRS Attended by Member(s)
227	MB	Mathias Colomb Cree Nation	Sturgeon Landing (replaced by Guy Hill, MB); Guy Hill (Clearwater, the Pas, formerly Sturgeon Landing, SK)	IRS Attended by Member(s)
228	MB	Misipawistik Cree Nation	Brandon	IRS Attended by Member(s)
229	MB	Nisichawayasihk Cree Nation	McKay (The Pas, replaced by Dauphin)	IRS Attended by Member(s)
230	MB	Norway House Cree Nation	Notre Dame Hostel (Norway House Catholic, Jack River Hostel, replaced Jack River Annex at Cross Lake); Norway House	IRS Located in Community
231	MB	O-Pipon-Na-Piwin Cree Nation	Guy Hill (Clearwater, the Pas, formerly Sturgeon Landing, SK)	IRS Attended by Member(s)
232	MB	Pinaymootang First Nation	Birtle	IRS Attended by Member(s)
233	MB	Poplar River FN	Norway House, Cross Lake (St. Joseph's, Norway House); Guy Hill (Clearwater, the Pas, formerly Sturgeon Landing, SK)	IRS Attended by Member(s)
234	MB	Pine Creek FN	Pine Creek (Campeville)	IRS Located in Community
235	MB	Roseau River Anishinabe FN	Fort Alexander (Pine Falls); Birtle; Portage la Prairie; Lebret (Qu'Appelle, Whitecalf, St. Paul's High School)	IRS Attended by Member(s)
236	MB	Sandy Bay Ojibway FN	Portage la Prairie; Sandy Bay	IRS Located in Community; IRS Attended by Member(s)
237	MB	Sioux Valley Dakota Nation	Brandon	IRS Attended by Member(s)
238	MB	St. Theresa Point FN	Assiniboia (Winnipeg)	IRS Attended by Member(s)
239	MB	Swan Lake FN	Portage la Prairie	IRS Attended by Member(s)
240	MB	Tataskweyak Cree Nation	Dauphin (replaced McKay)	IRS Attended by Member(s)
241	MB	Footinaowaziibeeng Treaty Reserve #292	Pine Creek (Campeville)	IRS Attended by Member(s)
242	MB	Waywayseecappo FN	Birtle	IRS Located in Community
243	MB	York Factory FN	Dauphin (replaced McKay)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
244	ON	Algonquins of Pikwakanagan First Nation	Mohawk Institute; Spanish Boys' School (Charles Garnier, St. Joseph's)	IRS Attended by Member(s)
245	ON	Aamjiwnaang FN-Chippewas of Sarnia	Spanish Girls' School (St. Joseph's, St. Peter's, St. Anne's)	IRS Attended by Member(s)
246	ON	Alderville FN	Mount Elgin (Muncey, St. Thomas)	IRS Attended by Member(s)
247	ON	Animakee Wa Zhing #37	Cecilia Jeffrey (Kenora, Shoal Lake)	IRS Located in Community; IRS Attended by Member(s)
248	ON	Aroland FN	McIntosh (Kenora)	IRS Attended by Member(s)
249	ON	Big Grassy River First Nation	Cecilia Jeffrey (Kenora, Shoal Lake)	IRS Attended by Member(s)
250	ON	Caldwell First Nation	Mount Elgin (Muncey, St. Thomas)	IRS Attended by Member(s)
251	ON	Cat Lake FN	Pelican Lake (Pelican Falls)	IRS Attended by Member(s)
252	ON	Chapleau Cree FN	Chapleau (St. John's); Shingwauk	IRS Located in Community; IRS Attended by Member(s)
253	ON	Chippewas of the Thames FN	Mount Elgin (Muncey, St. Thomas)	IRS Located in Community
254	ON	Chippewas of Kettle and Stony Point First Nation (formerly Kettle Point First Nation and Stony Point First Nation)	Mount Elgin (Muncey, St. Thomas); Mohawk Institute	IRS Attended by Member(s)
255	ON	Chippewas of Rama First Nation	Mohawk Institute	IRS Attended by Member(s)
256	ON	Constance Lake First Nation	St. Anne's (Fort Albany)	IRS Attended by Member(s)
257	ON	Couchiching FN	Fort Frances (St. Margaret's)	IRS Located in Community; IRS Attended by Member(s)
258	ON	Curve Lake FN	Mohawk Institute	IRS Attended by Member(s)
259	ON	Delaware Nation (Moravian of the Thames)	Mohawk Institute; Mount. Elgin (Muncey, St. Thomas); Shingwauk	IRS Attended by Member(s)
260	ON	Fort Albany FN	St. Anne's (Fort Albany)	IRS Located in Community
261	ON	Fort William FN	St. Joseph's/Fort William	IRS Located in Community
262	ON	Fort Severn FN	Pelican Lake (Pelican Falls)	IRS Attended by Member(s)
263	ON	Ginoogaming FN	St. Joseph's/Fort William	IRS Attended by Member(s)
264	ON	Grassy Narrows FN	McIntosh (Kenora)	IRS Attended by Member(s)
265	ON	Kashechewan FN	St. Anne's (Fort Albany)	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
266	ON	Kitchenuhmaykoosib Inninuwig	Pelican Lake (Pelican Falls); Cecilia Jeffrey (Kenora, Shoal Lake); Poplar Hill	IRS Located in Community
267	ON	Lac Seul First Nation	Cecilia Jeffrey (Kenora, Shoal Lake); Pelican Lake (Pelican Falls)	IRS Attended by Member(s)
268	ON	M'Chigeeng FN	Spanish Boys' School (Charles Garnier, St. Joseph's)	IRS Attended by Member(s)
269	ON	Mississauga First Nation	Spanish Girls' School (St. Joseph's, St. Peter's, St. Anne's)	IRS Attended by Member(s)
270	ON	Mississaugas of the Credit First Nation	Mohawk Institute	IRS Attended by Member(s)
271	ON	Mississaugas of Scugog Island First Nation	Mohawk Institute	IRS Attended by Member(s)
272	ON	MoCreebec Eeyoud Council of the Cree	Bishop Horden Hall (Moose Fort, Moose Factory)	IRS Located in Community
273	ON	Moose Cree FN	Bishop Horden Hall (Moose Fort, Moose Factory)	IRS Located in Community
274	ON	Mohawks of the Bay of Quinte	Mohawk Institute	IRS Attended by Member(s)
275	ON	Munsee-Delaware Nation	Mount Elgin (Muncey, St. Thomas)	IRS Attended by Member(s)
276	ON	Naicatchewenin FN	Fort Frances (St. Margaret's)	IRS Attended by Member(s)
277	ON	Naotkamegwanning FN	Cecilia Jeffrey (Kenora, Shoal Lake); Fort Frances (St. Margaret's); McIntosh (Kenora); St. Mary's (Kenora, St. Anthony's)	IRS Attended by Member(s)
278	ON	Nipissing First Nation	Spanish Boys' School (Charles Garnier, St. Joseph's)	IRS Attended by Member(s)
279	ON	Nigigoosiminikaaning First Nation	Fort Frances (St. Margaret's)	IRS Attended by Member(s)
280	ON	Ojibways of Onigaming	St. Mary's (Kenora, St. Anthony's); Fort Frances (St. Margaret's)	IRS Attended by Member(s)
281	ON	Oneida Nation the Thames	Mount Elgin (Muncey, St. Thomas)	IRS Located in Community
282	ON	Pikangikum FN	Poplar Hill	IRS Attended by Member(s)
283	ON	Sachigo Lake FN	Poplar Hill	IRS Attended by Member(s)
284	ON	Sheguiandah FN	Shingwauk; Spanish Boys' School (Charles Garnier, St. Joseph's); Spanish Girls' School (St. Joseph's, St. Peter's, St. Anne's)	IRS Located in Community
285	ON	Taykwa Tagamou Nation	St. Anne's (Fort Albany)	IRS Attended by Member(s)
286	ON	Temagami FN	Shingwauk	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
287	ON	Wabigoon Lake Ojibway Nation	St. Mary's (Kenora, St. Anthony's)	IRS Attended by Member(s)
288	ON	Wahgoshig First Nation	Mohawk Institute	IRS Located in Community; IRS Attended by Member(s)
289	ON	Wauzhushk Onigum Nation (Rat Portage) #153	St. Mary's (Kenora, St. Anthony's)	IRS Located in Community
290	ON	Wiikwemkoong Unceded Territory	Spanish Boys' School (Charles Garnier, St. Joseph's); Spanish Girls' School (St. Joseph's, St. Peter's, St. Anne's);	IRS Located in Community
291	ON	Weenusk First Nation	St. Anne's (Fort Albany)	IRS Located in Community
292	ON	Whitefish River First Nation	Spanish Boys' School (Charles Garnier, St. Joseph's)	IRS Attended by Member(s)
293	ON	Whitesand First Nation	Fort Frances (St. Margaret's)	IRS Attended by Member(s)
294	QC	Abénakis de Wôlinak	Sept-Îles	IRS Attended by Member(s)
295	QC	Communaute Ancinapek de Kitcisakik	Amos	IRS Attended by Member(s)
296	QC	Les Innu De Ekuanitshit	Sept-Îles	IRS Attended by Member(s)
297	QC	Cree Nation of Chisasibi	Fort George (Anglican); Fort George (Roman Catholic)	IRS Located in Community
298	QC	Cree Nation of Mistissini	La Tuque; Mistassini Hostels (September 1, 1971 to June 30, 1978)	IRS Located in Community; IRS Attended by Member(s)
299	QC	Cree Nation of Nemaska	Bishop Horden Hall (Moose Fort, Moose Factory); Shingwauk; La Tuque	IRS Attended by Member(s)
300	QC	Cree Nation of Waswanipi	Mohawk Institute; La Tuque	IRS Attended by Member(s)
301	QC	Cree Nation of Wemindji	Fort George (Anglican)	IRS Attended by Member(s)
302	QC	Nation Huronne-Wendat	La Tuque	IRS Attended by Member(s)
303	QC	Innu Takuaiakan Uashat mak Mani Utenam	Sept-Îles	IRS Located in Community; IRS Attended by Member(s)
304	QC	Listuguj Mi'gmaq Government	Shubenacadie	IRS Attended by Member(s)
305	QC	Kanesatake Mohawk	Shingwauk	IRS Located in Community; IRS Attended by Member(s)
306	QC	Kebaowek First Nation	Spanish Boys' School (Charles Garnier, St. Joseph's); Spanish Girls' School (St. Joseph's, St. Peter's, St. Anne's)	IRS Attended by Member(s)
307	QC	Long Point FN	Amos	IRS Attended by Member(s)

	Province / Territory	Indian Band/ FN	Identified Indian Residential School(s)	Opt In Basis
308	QC	Naskapi Nation of Kawawachikamach	La Tuque	IRS Located in Community
309	QC	Nation anishnabe du Lac Simon	Amos	IRS Located in Community; IRS Attended by Member(s)
310	QC	Odanak	Shingwauk	IRS Attended by Member(s)
311	QC	Oujé-Bougoumou Cree Nation	La Tuque	IRS Attended by Member(s)
312	QC	Pekuakamiulnuatsh Takuhikan	Pointe Bleue	IRS Located in Community
313	QC	Whapmagoostui FN	Federal Hostels at Great Whale River	IRS Located in Community
314	QC	The Crees of Waskaganish FN	Bishop Horden Hall (Moose Fort, Moose Factory)	IRS Attended by Member(s)
315	NB	Elsipogtog First Nation, formerly Big Cove Band, formerly Richibucto Tribe of Indians (#003)	Shubenacadie	IRS Attended by Member(s)
316	NB	Eel Ground First Nation	Shubenacadie	IRS Attended by Member(s)
317	NB	Eel River Bar First Nation	Shubenacadie	IRS Attended by Member(s)
318	NB	Fort Folly	Shubenacadie	IRS Attended by Member(s)
319	NB	Indian Island	Shubenacadie	IRS Attended by Member(s)
320	NB	Kingsclear First Nation	Shubenacadie	IRS Attended by Member(s)
321	NB	Oromocto	Shubenacadie	IRS Attended by Member(s)
322	NB	Tobique First Nation	Shubenacadie	IRS Attended by Member(s)
323	NS	Sipekne'katik Band	Shubenacadie	IRS Located in Community
324	PE	Abegweit FN	Shubenacadie	IRS Attended by Member(s)
325	PE	Lennox Island Band	Shubenacadie	IRS Located in Community; IRS Attended by Member(s)

Schedule “B”

Gottfriedson et al. v. His Majesty the King in Right of Canada
(Court File No. T-1542-12)

**INDIAN RESIDENTIAL SCHOOLS
BAND REPARATIONS CLASS ACTION
NOTICE OF SETTLEMENT AGREEMENT &
SETTLEMENT APPROVAL HEARING**

IMPORTANT

You are receiving this Notice because your Band has opted into (i.e. joined) the *Gottfriedson* Band Reparations Class Action.

A Settlement Agreement has been reached. A Settlement Approval Hearing will start in Vancouver on February 27, 2023 at 9:30 a.m. (Pacific Time) for up to three days.

READ THIS NOTICE CAREFULLY TO UNDERSTAND HOW YOUR BAND’S RIGHTS WILL BE AFFECTED, AND HOW TO PARTICIPATE IN THE SETTLEMENT APPROVAL HEARING

Please confirm that your Band has received this Notice by emailing Class Counsel at bandclass@waddellphillips.ca

BAND REPARATIONS CLASS ACTION

The Band Reparations Class Action is a lawsuit against the Government of Canada. The lawsuit is about the collective harm suffered by Indigenous communities as a result of Indian Residential Schools. The lawsuit says that the Government of Canada is responsible for damages to Indigenous *communities* caused by the Indian Residential School system, and in particular, the collective harm suffered by Indigenous communities due to the loss of language and culture because of Indian Residential Schools.

This lawsuit is not about harms suffered by individual survivors who attended Indian Residential Schools – instead it is about the collective harm suffered by Indigenous communities as a group as a result of Indian Residential Schools.

This lawsuit was brought by representative plaintiff First Nations Tk’emlúps te Secwépemc and shíshálh Nation (the “Representative Plaintiff Bands”), with the support of the Grand Council of the Crees (Eeyou Istchee).

325 First Nations Bands are part of the lawsuit. In order to participate, Bands had to “opt-in” or “join” the class action. The opt-in period is now closed, and it is no longer possible to join the lawsuit. For a complete list of which Bands joined the lawsuit, go to www.bandreparations.ca

SETTLEMENT AGREEMENT

A settlement agreement has been reached between the Representative Plaintiff Bands and the Government of Canada which fully and finally resolves the Band Reparations Class Action.

The agreement is based on the **Four Pillar principles**, namely:

- Revival and protection of **Indigenous languages**;
- Revival and protection of **Indigenous cultures**;
- **Wellness** for Indigenous communities and their members;
- Promotion and protection of **heritage**.

The settlement agreement needs to be approved by the Federal Court as being fair, reasonable and in the best interests of the class before it becomes final.

The key terms of the settlement agreement are:

- The government of Canada will make a payment of **\$2,800,000,000.00 (two billion eight hundred million)** (the "Fund") to a Trust/Not-For-Profit to fully and finally resolve the Band Reparations Class Action.
- The Trust/Not-For-Profit will be responsible for prudently investing the Fund, and for distributing the Fund to the 325 class members to support the **Four Pillar principles** in accordance with the Disbursement Policy.
- The **Disbursement Policy** will include the following:
 - **Planning funds:** Each Band Class member will receive an initial one-time payment of \$200,000 for the purposes of developing a plan to carry out one or more of the objectives and purposes of the Four Pillars;
 - **Initial Kick-Start Funds:** Upon receipt and review of a plan from a band, the Fund shall disburse the Initial Kick-Start Funds, which shall be equal to the Band's proportionate share of \$325,000,000, with 40% attributable for base rate, with the remaining 60% to be used to adjust for population. The base rate is an equal amount payable to each Band. The Board will determine an appropriate adjustment for remoteness for the Initial Kick-Start Funds, with any such funds required to account for remoteness being in addition to the \$325,000,000.

- **Annual Entitlement:** Each Band will receive a share of annual investment income that is available for distribution. That share will be equal to the Band's proportionate share, adjusted for population and remoteness.
- All monies that remain in the Fund after the payment of the Planning Funds and the Kick-Start Funds will be prudently invested by the Trust/Not-For-Profit in accordance with professional investment advice.
- The Fund will operate for a period of 20 years.
- For the 20 year life of the Fund, the Annual Entitlement payments will be made from the investment income earned from the Fund. The capital of the Fund will be maintained.
- At the end of the 20 year life of the Fund, the remaining funds consisting of the capital of the Fund and any undisbursed investment income will be disbursed to the Class. Each Band's share will be equal to the Band's proportionate share of the remaining funds.
- The Trust/Not-For-Profit will be responsible for determining the Disbursement Policy, which will consist of a base rate, a per capita adjustment, and a remoteness adjustment. That formula will allocate 40% to base rate, and 60% to population and remoteness adjustments.
- The Trust/Not-For-Profit will be governed by a board of nine Indigenous directors, eight of which will be selected through a process involving the Representative Plaintiff Bands and, in the case of Regional Directors, by the Class Members, and one of which will be chosen by Canada.
- The Trust/Not for Profit will have regional representation.
- In exchange for the benefits of the agreement, the Band Class members are deemed to agree to a release which will prevent them from bringing any legal claims in future against Canada regarding the collective harms caused to them by the creation and operation of Indian Residential Schools.
- Lawyers' fees and expenses incurred over the course of the lawsuit will be paid by the Government of Canada and will not be deducted from the compensation paid to the Band Class. Canada has agreed to pay \$20,000,000.00 (twenty million) for all legal fees and expenses. These fees and expenses must be approved by the court, and will be the subject of a fee approval hearing, which will take place immediately after the settlement approval hearing.

SETTLEMENT APPROVAL HEARING

A settlement approval hearing will be heard by the Federal Court, located at 701 West Georgia Street, Vancouver BC V7Y 1B6 starting on February 27, 2023 at 9:30 a.m. and lasting no more than three days.

The hearing is open to the public and will be available to be viewed via real-time webcast. Access details will be posted to www.bandreparations.ca when they become available.

The Federal Court judge will decide whether to approve the settlement agreement. The test that the judge will apply is whether the settlement is fair, reasonable, and in the best interests of the Class Members. The judge will consider the entire settlement agreement all together as a complete package. The judge is not allowed to pick and choose which parts of the settlement to approve or not approve.

Because your Band has opted into the Band Reparations Class Action, the outcome of the settlement approval hearing will be binding on your Band.

If the settlement agreement is approved:

- \$2.8 billion will be paid to the Trust/Not-For-Profit for the benefit of the Class Members in accordance with the Four Pillars;
- the case will not proceed to a trial; and
- the Band Class Members will not be able to bring another future lawsuit against Canada for harms suffered by that Band as a result of Indian Residential Schools.

If the settlement agreement is not approved:

- there will not be a settlement now;
- a new trial date will be set to determine whether Canada is legally responsible for the collective losses of languages and cultures suffered by the Band Class as a result of the Indian Residential Schools policy; and
- it is open to Canada and the parties to try to come to a new settlement agreement.

PARTICIPATION AT THE SETTLEMENT APPROVAL HEARING

Band Class Members have the right to participate in the settlement approval process by telling the Court whether the settlement agreement should be approved or not, and telling the court whether, in the view of the Band, the settlement agreement is fair, reasonable and in the best interests of the class.

Band Class Members can participate by making written submissions in advance of the hearing, oral submissions at the hearing, or both. Written or Oral Submissions must be made by individuals authorized to speak on behalf of their Band.

Written Submissions

Written Submissions must include the name of the Band Class Member, contact information, confirmation that the person making the submission has the authority to speak on behalf of the Band, a statement that the Band supports or objects to the proposed settlement, and the reasons for the Band's position.

Written statements should be no more than 10 pages in length. Written statements can be sent by email, mail or fax, and must be received by **FEBRUARY 20, 2023 at 11:59 PDT** at:

Waddell Phillips Professional Corporation Att'n: Band Reparations Class Action 36 Toronto Street, Suite 1120 Toronto, ON M5C 2C5	bandclass@waddellphillips.ca Fax: 416-477-1657
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Oral Submissions

Band Class Members wishing to make oral submissions at the Federal Court in Vancouver at the Settlement Approval Hearing must register in advance by sending a request to bandclass@waddellphillips.ca by **FEBRUARY 20, 2023 at 11:59 PDT**.

Individuals making oral submissions must be authorized to speak on behalf of a Band Class Member.

Oral submissions can be made in person in court in Vancouver, BC, or remotely via video conference. Please indicate whether you wish to participate in person, or virtually.

FURTHER INFORMATION

More information about your rights and options, details of the settlement (including the settlement agreement), and details about the settlement approval process, can be found on the bandreparations.ca website.

Class Counsel can be reached at:

Waddell Phillips Professional Corporation

Phone: 1-888-370-1045 (toll-free)

Fax: 416-477-1657

Email: bandclass@waddellphillips.ca

Att'n: Band Reparations Class Action
36 Toronto Street, Suite 1120
Toronto, ON
M5C 2C5

Schedule “C”

Gottfriedson et al. v. His Majesty the King in Right of Canada

(Court File No. T-1542-12)

NOTICE PLAN

Notice of Settlement Agreement and Settlement Approval Hearing

The notice of Settlement Agreement and Settlement Approval Hearing (“**Notice**”) will be sent directly to all Class Members. Class Counsel will take further steps to confirm that Class Members have received the Notice.

A comprehensive List of Class Members is attached as Schedule “A” to the Order of Justice McDonald dated September 6, 2022. Because this is an opt-in class action, all 325 Class Members are known to Class Counsel, and further, Class Counsel has had direct contact with each Class Member as part of the opt-in process.

Class Counsel have maintained a comprehensive spreadsheet of contact information for each Class Member, including email addresses, mailing addresses, fax numbers (where available) and phone numbers.

DIRECT CONTACT

The court-approved Notice will be sent directly to the administrative and/or political office of each Class Member by email, mail and, where available, fax by January 27, 2023. The Notice requests that Class Members confirm receipt of the Notice with Class Counsel to ensure that Notice is effective.

Class Counsel will contact the administrative and/or political office of each Class Member that does not confirm receipt of the Notice directly by phone to ensure that all Class Members have, in fact, received the Notice.

WEBSITE

The information in the Notice will be posted at www.bandreparations.ca by January 27, 2023.

LANGUAGES

The Notice will be sent to the Class Members in English and French. Key information from the Notices will also be made available in six of the most commonly used Indigenous languages – James Bay / Eastern Cree, Plains Cree, Ojibwe, Dene, Inuktitut, and Mi’kmaq – as soon as practicable on www.bandreparations.ca.

CLASS COUNSEL CONTACT

Class Counsel have established a dedicated toll-free number and email address in order to receive inquiries from Class Members and from the general public. Class Counsel will use the toll-free number and email address to communicate the information contained in the Notice.