

**TODD HILSEE SUPPLEMENTARY AFFIDAVIT SWORN AUGUST 23, 2006**

Court File No. 00-CV-192059CP

*ONTARIO*  
**SUPERIOR COURT OF JUSTICE**

BETWEEN:

**CHARLES BAXTER, SR. AND ELIJAH BAXTER**

Plaintiffs

- and -

**THE ATTORNEY GENERAL OF CANADA**

Defendant

- and -

**THE GENERAL SYNOD OF THE ANGLICAN CHURCH OF CANADA, THE MISSIONARY SOCIETY OF THE ANGLICAN CHURCH OF CANADA, THE SYNOD OF THE DIOCESE OF ALGOMA, THE SYNOD OF THE DIOCESE OF ATHABASCA, THE SYNOD OF THE DIOCESE OF BRANDON, THE SYNOD OF THE DIOCESE OF BRITISH COLUMBIA, THE SYNOD OF THE DIOCESE OF CALGARY, THE SYNOD OF THE DIOCESE OF CARIBOO, THE INCORPORATED SYNOD OF THE DIOCESE OF HURON, THE SYNOD OF THE DIOCESE OF KEEWATIN, THE DIOCESE OF MOOSONEE, THE SYNOD OF THE DIOCESE OF WESTMINSTER, THE SYNOD OF THE DIOCESE OF QU'APPELLE, THE DIOCESE OF SASKATCHEWAN, THE SYNOD OF THE DIOCESE OF YUKON, THE COMPANY FOR THE PROPAGATION OF THE GOSPEL IN NEW ENGLAND (also known as THE NEW ENGLAND COMPANY), THE PRESBYTERIAN CHURCH IN CANADA, THE TRUSTEE BOARD OF THE PRESBYTERIAN CHURCH IN CANADA, THE FOREIGN MISSION OF THE PRESBYTERIAN CHURCH IN CANADA, BOARD OF HOME MISSIONS AND SOCIAL SERVICES OF THE PRESBYTERIAN CHURCH IN CANADA, THE WOMEN'S MISSIONARY SOCIETY OF THE PRESBYTERIAN CHURCH IN CANADA, THE UNITED CHURCH OF CANADA, THE BOARD OF HOME MISSIONS OF THE UNITED CHURCH OF CANADA, THE WOMEN'S MISSIONARY SOCIETY OF THE UNITED CHURCH OF CANADA, THE METHODIST CHURCH OF CANADA, THE MISSIONARY SOCIETY OF THE METHODIST CHURCH OF CANADA (also known as THE METHODIST MISSIONARY SOCIETY OF CANADA), THE CANADIAN CONFERENCE OF CATHOLIC BISHOPS, THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF CALGARY, THE ROMAN CATHOLIC BISHOP OF KAMLOOPS, THE ROMAN CATHOLIC BISHOP OF THUNDER BAY, THE ROMAN CATHOLIC ARCHBISHOP OF VANCOUVER, THE ROMAN CATHOLIC BISHOP OF VICTORIA, THE ROMAN CATHOLIC BISHOP OF NELSON, THE CATHOLIC EPISCOPAL CORPORATION OF WHITEHORSE, LA CORPORATION EPISCOPALE CATHOLIQUE ROMAINE DE GROUARD – McLENNAN, THE CATHOLIC ARCHDIOCESE OF EDMONTON, LA DIOCESE DE**

**SAINT-PAUL, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF MACKENZIE, THE ARCHIEPISCOPAL CORPORATION OF REGINA, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF KEEWATIN, THE ROMAN CATHOLIC ARCHIEPISCOPAL CORPORATION OF WINNIPEG, LA CORPORATION ARCHIEPISCOPALE CATHOLIQUE ROMAINE DE SAINT-BONIFACE, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE DIOCESE OF SAULT STE. MARIE, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF JAMES BAY, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF HALIFAX, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF HUDSON'S BAY, LA CORPORATION EPISCOPALE CATHOLIQUE ROMAINE DE PRINCE ALBERT, THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF PRINCE RUPERT, THE ORDER OF THE OBLATES OF MARY IMMACULATE IN THE PROVINCE OF BRITISH COLUMBIA, THE MISSIONARY OBLATES OF MARY IMMACULATE – GRANDIN PROVINCELES PERES MONTFORTAINS (also known as THE COMPANY OF MARY), JESUIT FATHERS OF UPPER CANADA, THE MISSIONARY OBLATES OF MARY IMMACULATE – PROVINCE OF ST. JOSEPH, LES MISSIONAIRES OBLATS DE MARIE IMMACULEE (also known as LES REVERENDS PERES OBLATS DE L'IMMACULEE CONCEPTION DE MARIE), THE OBLATES OF MARY IMMACULATE, ST. PETER'S PROVINCE, LES REVERENDS PERES OBLATS DE MARIE IMMACULEE DES TERRITOIRES DU NORD OUEST, LES MISSIONAIRES OBLATS DE MARIE IMMACULEE (PROVINCE U CANADA – EST), THE SISTERS OF SAINT ANNE, THE SISTERS OF INSTRUCTION OF THE CHILD JESUS (also known as THE SISTERS OF THE CHILD JESUS), THE SISTERS OF CHARITY OF PROVIDENCE OF WESTERN CANADA, THE SISTERS OF CHARITY (GREY NUNS) OF ST. ALBERT (also known as THE SISTERS OF CHARITY (GREY NUNS) OF ST. ALBERTA), THE SISTERS OF CHARITY (GREY NUNS) OF THE NORTHWEST TERRITORIES, THE SISTERS OF CHARITY (GREY NUNS) OF MONTREAL (also known as LES SOEURS DE LA CHARITÉ (SOEURS GRISES) DE L'HÔPITAL GÉNÉRAL DE MONTREAL), THE GREY SISTERS NICOLET, THE GREY NUNS OF MANITOBA INC. (also known as LES SOEURS GRISES DU MANITOBA INC.), THE SISTERS OF ST. JOSEPH OF SAULT STE. MARIE, LES SOEURS DE SAINT-JOSEPH DE ST-HYACINTHE and INSTITUT DES SOEURS DE SAINT-JOSEPH DE SAINT-HYACINTHE LES SOEURS DE L'ASSOMPTION DE LA SAINTE VIERGE (also known as LES SOEURS DE L'ASSOMPTION DE LA SAINTE VIERGE) DE NICOLET AND THE SISTERS OF ASSUMPTION, LES SOEURS DE L'ASSOMPTION DE LA SAINTE VIERGE DE L'ALBERTA, THE DAUGHTERS OF THE HEART OF MARY (also known as LA SOCIETE DES FILLES DU COEUR DE MARIE and THE DAUGHTERS OF THE IMMACULATE HEART OF MARY), MISSIONARY OBLATE SISTERS OF SAINT-BONIFACE (also known as MISSIONARY OBLATES OF THE SACRED HEART AND MARY IMMACULATE, or LES MISSIONAIRES OBLATS DE SAINT-BONIFACE), LES SOEURS DE LA CHARITE D'OTTAWA (SOEURS GRISES DE LA CROIX) (also known as SISTERS OF CHARITY OF OTTAWA - GREY NUNS OF THE CROSS), SISTERS OF THE HOLY NAMES OF JESUS AND MARY (also known as THE RELIGIOUS ORDER OF JESUS AND MARY and LES SOEURS DE JESUS-MARIE), THE SISTERS OF CHARITY OF ST. VINCENT DE PAUL OF HALIFAX (also known as THE SISTERS OF CHARITY OF HALIFAX), LES SOEURS DE NOTRE DAME AUXILIATRICE, LES SOEURS DE ST. FRANCOIS D'ASSISE,**



**SISTERS OF THE PRESENTATION OF MARY (SOEURS DE LA PRESENTATION DE MARIE), THE BENEDICTINE SISTERS, INSTITUT DES SOEURS DU BON CONSEIL, IMPACT NORTH MINISTRIES, THE BAPTIST CHURCH IN CANADA**

Third Parties

Proceeding under the *Class Proceedings Act, 1992*

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SWORN AUGUST 23, 2006  
(Settlement Approval Motion Returnable August 29, 30 and 31, 2006)**

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**ONTARIO  
SUPERIOR COURT OF JUSTICE**

IN RE RESIDENTIAL SCHOOLS CLASS ACTION LITIGATION

Proceeding under the *Class Proceedings Act, 1992*

**AFFIDAVIT OF TODD B. HILSEE ON COMPLETION  
AND ADEQUACY OF PHASE I OF NOTICE PROGRAM**

I, TODD B. HILSEE, have personal knowledge of the matters set forth herein; I believe them to be true and correct, and I MAKE OATH AND SAY:

1. I am President of Hilsoft Notifications, a company located near Philadelphia, in Souderton, Pennsylvania that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans.

**OVERVIEW**

2. My staff and I designed a two-phase notice program (the “Notice Program” or “Notice Plan”) and the forms of notice for Phase I (the “Notice” or “Notices”) to Class members in the Indian residential schools settlement process, and submitted it for Court approval together with the “Affidavit of Todd B. Hilsee” on May 17, 2006. Upon approvals from all of the Courts, we began implementing Phase I of that Notice Program on June 21, 2006, as documented below, in order to alert Class members about the settlement approval hearings and their right to comment on or object to the proposed settlement and its terms before it becomes final (the “Hearing Notice”). On July 26, 2006, I submitted an affidavit reporting on the status of the implementation of the Notice

Program as of the date that the class action lawyers needed to file papers in support of the settlement approval.

3. This affidavit is to report on the final implementation of Phase I of the Notice Program and provide my opinions on its effectiveness and adequacy, as implemented. My updated credentials supporting my ability to render expert opinions on the adequacy of notice programs, including reference to our latest law review articles and judicial comments, is contained in Hilsoft Notifications' latest c.v., attached as **Exhibit 1**.

4. In sum, Phase I of the Notice Plan was successfully implemented in full. The Notices were produced as planned—clear, simple, and attention-getting, as intended. The Notices were mailed, and otherwise issued, published, and broadcast according to the plan, and even exceeded it. Accordingly, the reach and frequency of notice is on target to exceed the 91% coverage and 6.3 average frequency, as set out in the Notice Plan, when both phases are complete.<sup>1</sup>

5. In light of the observations in this report, and based on the details provided below, in my opinion, the Notice Program was clearly the best notice practicable under the circumstances of this case. Based on my experiences in other major litigation cases and the facts in this report, I believe that Phase I of the Notice Program has been an extraordinarily successful effort and one of the most comprehensive and complex notification programs that has taken place in North America.

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<sup>1</sup> Reach is defined as the percentage of a target population that is exposed to a message through a communication delivery vehicle, net of overlap between various vehicles; and frequency of exposure is the average number of times that each of those persons is exposed to the message. Qualified notice experts with appropriate media research training must make these calculations, using conservative techniques.

6. In developing and executing this campaign, members of my staff and I personally traveled to various parts of Aboriginal Canada, including the west and the far North. We consulted numerous times along the way with the National Certification Committee (“NCC”) and other parties of interest. My staff and I have been in contact with not only the lawyers and former students, but also organizations, media representatives, and other individuals in communities all over Canada. I have heard, as my staff has heard—nothing but glowing feedback on the quality of the Notices and their ability to simply communicate the information that this historic campaign must communicate. In my opinion, any suggestion to the contrary would likely not be supported.

7. The facts in this report are based on information provided to me by my staff and the claims administrator, Crawford Class Action Services, working under our direction on this case.

8. While the approved Notice Plan included all of the activities for dissemination of Phase I and Phase II of Notice (Phase II will be Notice of the right to opt-out or ask for a claim form, after final approval is received), only Phase I Notices have been submitted for Court approval. Attached to, and described at the end of, this report are drafts of the Phase II Notices.

### **RECAP OF NOTICE PROGRAM OBJECTIVES**

9. The Notice Program that we designed sought to achieve the following objectives:

- a) Together with Phase II, when it is fully completed, effectively reach 91.1% of Aboriginal people aged 25+, on average 6.3 times each;
- b) Provide Individual Notice to known Class members from numerous lists from the Assembly of First Nations (“AFN”), Inuit, lawyer, and government databases of Class members;
- c) Design a Notice Program that would generate awareness and create a “buzz” among Aboriginal people so that understanding and participation would continue through the conclusion of the settlement process;
- d) Use a variety of media vehicles, i.e., mainstream newspapers, and Aboriginal publications, television, and radio, to build exposure among Aboriginal people;
- e) Provide thorough and fair geographic coverage of Canada to reach Aboriginal people in all 13 provinces/territories, including those in remote areas;
- f) Design a program broadly targeting Aboriginal people, without disadvantaging any affected person on the basis of geography (where they choose to live) or demographics (e.g., their age or socio-economic status);
- g) Develop a program consistent with notice programs we have designed that have been court-approved, and that we have implemented for large classes certified for purposes of settlement in Canada and elsewhere;
- h) Use high quality notification vehicles and methods to convey the importance of the information affecting Class members’ rights;
- i) Design Notices in plain language that will be “noticed,” as well as be simple, clear, and easy to understand and act upon; and



j) Ensure an effective effort based on all relevant communication standards.

10. This report will show that each of these objectives was achieved.

11. In preparing a program to meet these objectives, Hilsoft Notifications studied the demographics and media habits of Aboriginal people in order to evaluate the most effective way to inform them about the hearing dates and their right to present their views relating to the fairness of the proposed settlement. We studied the proposed settlement terms, procedures, and Class member rights and options to determine how to best present appropriate information in effective notice documents.

#### **OBSERVATIONS ON IMPLEMENTATION OF PHASE I**

12. Having completed our implementation of Phase I of the Notice Program, we can report as follows:

- a) The Notices were all produced as called for under the Notice Plan. From careful translations to appropriate and attention-getting visuals, the Notices were completely created as planned, including special additional versions for Inuit peoples.
- b) The website was established as planned, and the addition of the Inuktitut language exceeded the Plan. The website visitation statistics support the breadth of the notice coverage and outreach.
- c) The mailings began on time and were completed efficiently and correctly. Additional names and addresses beyond that which were contemplated to be available under the Notice Plan were produced by the various law firms

involved, and sent Notices. Additional efforts by the government to produce names and addresses and to utilize government resources increased notice by individual mail.

- d) The informational release was issued as planned, and in addition, was faxed to various media and organizational contacts. The informational release has resulted in news stories and coverage as detailed below.
- e) All of the Notices called for under the Notice Plan appeared in the media as planned—and then some. Numerous extra appearances in additionally negotiated media vehicles—print media, television, and radio—were secured.
- f) Notices were mailed to, and appeared in, media with distribution across all of Canada’s provinces and territories.
- g) The program is on target to exceed the reach and frequency expected in the Notice Plan. Phase I alone has already gone beyond what was originally planned in terms of the number of mailings and media placements.
- h) The organizational outreach efforts, neutral informational news release, and website efforts have certainly enhanced reach and notice exposures as well.
- i) The claims administrator’s call center was established as planned. According to the claims administrator, as of August 18, 2006, there have been 7,765 phone calls to the 800 number and as of August 18, 2006 we have tracked over 282,438 “hits” to the website.<sup>2</sup>

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<sup>2</sup> A “hit” is an instance of a web page being loaded into a visitor’s web browser.

13. Opinions driven by the above observations and that stem from and follow my description of the detailed verifications of our implementation of Phase I of the Notice Program, and that relate to the upcoming activities that will take place in Phase II of the Notice Program if the proposed settlement receives final approval from the Courts, appear at the end of this report.

### **NOTICE PROGRAM IMPLEMENTATION**

14. We disseminated the Phase I paid media, including finalizing the content, and producing the Notices based on the design of the Notices as called for under the Notice Plan. We secured their placement in the media, and set up and hosted the website.

15. Many different versions and variations of the Notices were produced for mailings, fax distributions, press releases, publication placements, television appearances, and radio broadcasts. In all, 104 different master versions of the notice documents were necessary and were then produced, from which dozens of additional customized versions were created, for example for specific media sizing requirements.

16. Both “Indian” and “Inuit” versions of the Notices were produced in the appropriate English, French, and Aboriginal languages. As explained in more detail below, and as reflected in the Court-approved Notices that were attached to the Notice Plan, Publication and Television Notices to all of the non-Inuit populations featured the culturally significant and appropriate “Eagle Feather” concept (to symbolize the settlement as helping to continue the necessary healing). These Notices used the word “Indian” as appropriate and according to the Court-approved Notices. Notices that would appear

mainly or exclusively in Nunavut or otherwise directed to Inuit persons located elsewhere did not include the word “Indian.” Also, as explained below, a special, culturally appropriate graphic was created for the Inuit version of the Publication and Television Notice, that of a Qulliq being lit.

17. The attached **Exhibit 2** provides the Court with a record of each master version of the Notice variations as actually produced. Each Notice is coded in the lower right-hand margin, and the Exhibit describes and explains the coding in detail.

18. This section of our report details and verifies the implementation of each element of the Notice Program including the website, informational release, call center efforts, the individual mailings, Publication, Television, and Radio Notices, as well as the fax and email distribution, and “other” notice efforts.

### **CREATION AND PRODUCTION OF NOTICES**

19. We carefully produced all of the Notice documents to ensure Class members were presented with clear and concise information on all of their rights and options. With this in mind, the Notices, as implemented, were designed to increase noticeability and comprehension.

20. All of the necessary notice documents were translated into French and Inuktitut and made available at the neutral website [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca). Hilsoft Notifications worked independently and also hand in hand with the claims administrator to oversee the highly qualified translators who worked relentlessly to

translate and generate the foreign language documents. The breadth of the documents available in all of the appropriate languages allowed Class members all over Canada access to Notices that would inform them of their rights and options. Of course, all documents were made available in the official languages of English and French, and the website and notice documents were also translated into Inuktitut. The certifications attesting to the accuracy of the French and Inuktitut translations are attached as **Exhibit 3**.

21. Noticeability was essential to help Class members connect with the Notice and desire to read it. In creating the Summary Notice for publication and mailing, we brought to life culturally relevant graphic concepts that would also be visually appealing to Class members. We personally traveled and met with Indian people on a reserve, including former students, and took part in ceremony. We consulted with the AFN and various Inuit organizations to find appropriate graphics as well as to guide our word choices. The Indian version of the Summary Notice included a graphic representation of a hand holding an Eagle feather, a symbol for healing. A special graphic was created for the Inuit version of the Summary Notice, that of a Qulliq being lit, which symbolizes light and the warmth of family and community.

22. Additionally, we produced the Summary Notice with a large, bold headline designed to capture attention and immediately alert even casual readers that they should read the Notice—and just as important for the former students, to reflect a sensitivity to the “healing” that is taking place on the residential schools issue.

23. The Summary Notice, as effectuated, outlined the benefits of the proposed settlement and highlighted how to comment on, or object to, the proposed settlement if desired, and included a prominent table detailing the Court hearing dates. The text of the summary was written in simple and understandable language. The Notice underscored all of the important legal rights and information about the hearings, the comments and objection process, and the proposed settlement, without omitting any important or required information. A bold toll free phone number and a prominent website address provided simple, convenient response mechanisms for Class members to obtain more information. The Notice encouraged readership and ensured that it would not be perceived as a solicitation through the use of an “Official Court Notice” caption, which underscored its important Court-ordered nature.

24. The themes of the graphics used to execute the production of the Summary Notice for publication and mailing were carried over into the Television Notice. Our staff worked with highly professional film and video specialists to bring the Court-approved TV concepts to life. We worked relentlessly to ensure that we were being respectful to both cultures and found voice talent that would be familiar and easily understood by Class members.

25. The TV spot achieved the eagle feather floating in the air and being caught by an outstretched hand, through careful research and creative film production over weeks of concerted production and editing. Again, we consulted with the AFN and made sure that the feather floated in the direction of a Medicine Wheel (East, North, West, and South) representing the circle of life and the physical manifestation of spirituality. A Vancouver

Island Indian read the script and recorded an original music track composition for the effort.

26. For the Inuit we created a special version in which we had an elder Inuit woman light a Qulliq—important to the Inuit and used in ceremonies to mark the start of an important event. We traveled to Iqaluit, Nunavut region and worked directly with an Inuit communications company, with the help of the Nunavut Tunngavik, Inc., to develop the campaign and ensure the Qulliq lighting was an accurate representation of the traditional ceremony. A local Inuktitut speaker added a carefully read and translated soundtrack. Original music was also laid in from a traditional Inuit artist.

27. We originally planned for a 30 second television commercial, however in order to accommodate some of the languages, a 60 second commercial was necessary. The English, Cree, and Dogrib commercials were produced and broadcast as 30 second commercials. The French, Innu, and Inuktitut commercials were produced and broadcast as 60 second commercials.

28. Each TV spot, as executed, repeatedly announced and displayed the phone number where affected people could call for more information.

29. Continuing our desire to get Notice to remote areas of Canada, and to produce effective Radio Notices, we wrote and designed 60-second Radio Notices that, like the Television Notice, announced the start of the residential schools settlement process and notified affected people that they could provide their views about the proposed

settlement at court hearings being held at different locations throughout Canada. The spot went on to provide details about the proposed settlement and, when time permitted, repeatedly announced the phone number for affected people to call for more information.

30. We worked with radio stations all over Canada to find voice talent that would translate the Notice into the appropriate Aboriginal language for each station. Our staff carefully oversaw recordings, revisions and re-recordings until the spots were the appropriate length and met specifications for each station/transmitter. Approximately 20 languages/dialects in all were eventually produced for airing all over Aboriginal Canada.

31. We also drafted, designed, and completed the Detailed Notice providing more information for Class members, and it was mailed out and made available at the website or upon request. The Detailed Notice began with a summary page providing a concise overview of the important information and Class members' key options. The first page of the Detailed Notice contained a straightforward table depicting Class members' options and details about the proposed settlement, such as who is affected, their current and future rights, and what the proposed settlement will provide. A table of contents, categorized into logical sections, helped to organize the information, while a question and answer format made it easy to find answers to common questions by breaking the information into simple headings and brief paragraphs.

32. The outside of the mailing, or envelope, was implemented as planned to help ensure, as best as reasonably possible, that the mailing would have the greatest chance of being opened and read when it was received together with all of the other mail that



arrives into Class members' households on a daily basis. The envelope carried a carefully crafted return address to signify the importance and legitimacy of the mailing—but also to reflect the lawyers and our joint concern for sensitivity and care with associated emotions from recollections of the residential schools experience. The envelope also included a statement in bold, which identified the materials enclosed as a legal notice about the Residential Schools Settlement. This envelope design is consistent with models that we have designed for courts to reflect state-of-the-art communication standards designed to deal with today's proliferation of solicitation materials by mail—and which we determined was a risk even in Canada on this residential schools case, as lawyers and others have periodically contacted Aboriginal people about residential lawsuits and will likely continue to do so.

33. Furthermore, the neutral informational press release was effectuated as it was designed, so as to provide accurate information that contributed to an even greater awareness and understanding of the process underway, inviting even more Class members to exercise their rights.

34. We also ensured that the various letters that were included in the mailings were completed as drafted and designed. Each was written in accordance with our plain language standards, and designed to be noticed and read. The content of each disclosed all required information, and where appropriate, clear and simple instructions pertaining to Class members' options.

35. All of the Notices received the careful review of the NCC and others representing parties and interests in the lawsuit. In finalizing the Notices for production, all of the masters were circulated for numerous careful reviews and further input from constituents, to be sure that the Notices as approved for production were appropriate. No concerns were left un-resolved or un-addressed prior to production.

### WEBSITE

36. On June 21, 2006, the informational website, [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca), was posted and made available to the public in English, French, and Inuktitut.<sup>3</sup> At the website, affected people could obtain more information about the proposed settlement. A “Contact Us” page allows questions or comments to the administrator, as well as allows Class members to object to the proposed settlement or ask that a residential school or hostel be added to the approved list of schools.

37. Through August 21, 2006, there have been 15,608 website user sessions, representing 148,141 page views and 282,438 hits, whereby 9.1 gigabytes of data have been downloaded for viewing by potential Class members.

38. On a daily basis, this website usage represents 264 sessions since the launch of the Notice Program, 2,510 page views, and 4,787 hits, for an average of 157.92 megabytes of data downloaded per day.

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<sup>3</sup> The website domain is also accessible in French as [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca). Additionally, the English website, [www.residentialschoolssettlement.ca](http://www.residentialschoolssettlement.ca) (with an “s” on schools) was acquired and pointed to the settlement URL. Also the same domain names with “.com” versions also pointed to the URL for further assurance that people would not miss the site if they didn’t write it down correctly.

39. On a per session basis, there has been an average of 9.49 page views, 18.09 hits, and 611.29 bytes of data.

40. The average website viewing session has been an amazing 41 minutes long—indicating an engaged Class interested in receiving the breadth of important information made available.

41. Numerous other websites have referred users to the Court website as indicated by “click-through” links posted at other websites. Those with the greatest referral click-through links include the Government’s Indian Residential Schools Resolution Canada website pages and the AFN website. As can be viewed at our complete website reporting data site,<sup>4</sup> numerous other people and organizations, for example, the Honorable Frank Iacobucci, the Indian Residential School Survivors Society, the Nunavut Tunngavik, Makivik Corporation, and the Inuvialuit Regional Corporation, have added links to their own websites that are actively generating visits to the Court website.

42. In addition, internet users can easily locate the Court’s website through simple internet searches via google.ca and msn.ca.

### **INFORMATIONAL RELEASE**

43. The neutral Court-approved informational release announcing the commencement of the Notice Program was released throughout Canada to all major media

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<sup>4</sup> Go to [www.residentialschoolsettlement.ca:9999](http://www.residentialschoolsettlement.ca:9999). User name: residential. Password: sonic55.

outlets by wire distribution on June 22, 2006. In total, the release was issued by wire to more than 390 press outlets throughout Canada.

44. To help draw attention to the proposed settlement, the informational release was also faxed by our staff along with a cover letter to 30 publication editors, 13 radio station managers, and 336 other potentially interested Aboriginal-related organizations.

45. We have so far identified over 60 news stories that contain information about the proposed settlement, including news stories that resulted in links at media websites and which positively generated click through traffic to the Court website, often in remote places, for example, K-Net “News for the North.”

#### **INDIVIDUAL MAILINGS**

46. On June 22, 2006, mailings were sent to known Class members from lists provided by the AFN, Inuit groups, legal counsel, and government databases of potential Class members, as well as to First Nation Offices and other community organizations, such as Friendship Centres and Aboriginal agencies, and to other legal counsel who are representing or have represented residential school attendees.

47. Three different notice packages—individuals, lawyers, organizations—were created, to which the appropriate cover letters and Notices were attached, as per the Notice Program.

48. A total of 7,146 mailings were sent directly to individuals from lists provided by the lawyers, of which 6,651 were in English/French and 495 were in English/French/Inuktitut. Another 28,124 mailings were sent to individuals identified by the AFN and 15,127 individual notice packages were shipped in bulk to lawyers who in turn mailed them to clients. Of these, 15,037 were in English/French and 90 were in English/French/Inuktitut.

49. Law firms were sent 392 cover letters with Notices requesting them to alert any additional clients they had. Of these, 380 were in English/French and 12 were in English/French/Inuktitut.

50. Relevant organizations were sent 1,390 notice packages requesting assistance in reaching out to those in the community with whom they have contact. Of these, 1,197 were in English/French and 193 were in English/French/Inuktitut.

51. On July 24, 2006, Summary Notices in both English and French, together with the appropriate English or French cover letter and custom envelope, were mailed to the 1,459 unrepresented claimants who are participating in the Alternative Dispute Resolution (“ADR”) process.

52. We had originally planned to send a Summary Notice and Detailed Notice to federal and penal institutions where former residential school students are located, according to lists that were reportedly held by the AFN. Unfortunately, the lists were not

available, and therefore, after careful address research, the Summary and Detailed Notice were mailed to *all* federal and penal institutions.

### **MEDIA NOTICE**

53. Starting with *The National Post* on June 22, 2006, Notice was published and broadcast as called for under the Notice Program.

54. In fact, the Notice has appeared across all the provinces and territories of Canada, in English, French, and numerous Aboriginal languages, in major Canadian press outlets, including Aboriginal media. Notice appeared throughout the summer in mainstream and Aboriginal print, as well as Aboriginal radio and television, as indicated in the Court-approved Notice Program flowchart.

55. The media appearances have occurred as follows:

### **Publication Notices**

56. Notices appeared two times in 35 different mainstream newspapers across Canada for a total of 70 insertions. The daily newspapers utilized circulate in the top 19 Aboriginal population Census Metropolitan Areas (“CMAs”) and Census Agglomerations (“CAs”), where approximately 45% of Canada’s Aboriginal population residing outside of a reserve or Aboriginal community/settlement is located, plus two Québec CMA papers. An approximate third page Summary Notice was placed in the broadsheet newspapers and a ¾ page in the tabloid newspapers. In French language newspapers, the Notice was

enlarged by approximately 15% to accommodate the increased text resulting from the French translation.

57. The prominent Notice positioning negotiated and achieved helped garner more attention from readers. Notices appeared primarily in Main News, with more than 60% running within the first 15 pages of Section A/Main News or Local News, at no additional cost.

58. Following are the mainstream newspapers with the dates and page numbers on which the Notices appeared:

| <b>Newspaper</b>               | <b>City/Area</b> | <b>Province</b>  | <b>Insertion 1 Date</b> | <b>Insertion 1 Page #</b> | <b>Insertion 2 Date</b> | <b>Insertion 2 Page #</b> |
|--------------------------------|------------------|------------------|-------------------------|---------------------------|-------------------------|---------------------------|
| <i>The Globe and Mail</i>      | Toronto          | Ontario          | 6/24                    | A7                        | 7/8                     | A6                        |
| <i>Toronto Star</i>            | Toronto          | Ontario          | 6/24                    | A16                       | 7/8                     | B3                        |
| <i>Toronto Sun</i>             | Toronto          | Ontario          | 6/25                    | pg 21                     | 7/16                    | pg 17                     |
| <i>Le Journal de Montreal*</i> | Montreal         | Québec           | 7/8                     | pg 25                     | 7/15                    | pg 25                     |
| <i>The Montreal Gazette</i>    | Montreal         | Québec           | 7/8                     | A23                       | 7/15                    | A7                        |
| <i>La Presse*</i>              | Montreal         | Québec           | 7/8                     | A18                       | 7/15                    | A19                       |
| <i>The National Post</i>       | Toronto          | Ontario          | 6/22                    | A22                       | 7/6                     | A6                        |
| <i>Vancouver Province</i>      | Vancouver        | British Columbia | 6/25                    | A34                       | 7/16                    | A19                       |
| <i>Vancouver Sun</i>           | Vancouver        | British Columbia | 6/24                    | A23                       | 7/8                     | B5                        |
| <i>Winnipeg Free Press</i>     | Winnipeg         | Manitoba         | 6/24                    | A13                       | 7/15                    | A16                       |
| <i>Winnipeg Sun</i>            | Winnipeg         | Manitoba         | 6/25                    | A7                        | 7/9                     | A19                       |
| <i>Calgary Herald</i>          | Calgary          | Alberta          | 6/23                    | A15                       | 7/14                    | A15                       |
| <i>Calgary Sun</i>             | Calgary          | Alberta          | 6/25                    | pg 35                     | 7/9                     | pg 29                     |
| <i>Edmonton Journal</i>        | Edmonton         | Alberta          | 6/23                    | B7                        | 7/7                     | B4                        |
| <i>Edmonton Sun</i>            | Edmonton         | Alberta          | 6/25                    | pg 11                     | 7/16                    | pg 31                     |
| <i>Hamilton Spectator</i>      | Hamilton         | Ontario          | 6/24                    | A12                       | 7/8                     | A8                        |
| <i>Ottawa Citizen</i>          | Ottawa           | Ontario          | 6/24                    | A12                       | 7/15                    | A10                       |
| <i>Ottawa Sun</i>              | Ottawa           | Ontario          | 6/25                    | pg 11                     | 7/9                     | pg 12                     |
| <i>Ottawa Le Droit*</i>        | Ottawa           | Ontario          | 6/24                    | pg 10                     | 7/15                    | pg 12                     |
| <i>London Free Press</i>       | London           | Ontario          | 6/24                    | pg 4                      | 7/8                     | pg 5                      |
| <i>Saskatoon Star Phoenix</i>  | Saskatoon        | Saskatchewan     | 6/23                    | B8                        | 7/7                     | A10                       |

|                                      |                  |                  |       |        |      |       |
|--------------------------------------|------------------|------------------|-------|--------|------|-------|
| <i>Regina Leader-Post</i>            | Regina           | Saskatchewan     | 6/24  | B3     | 7/15 | B8    |
| <i>Prince Albert Daily Herald</i>    | Prince Albert    | Saskatchewan     | 6/24/ | pg 8   | 7/8  | pg 14 |
| <i>Victoria Times Colonist</i>       | Victoria         | British Columbia | 6/23  | B2     | 7/7  | A5    |
| <i>Thunder Bay Chronicle-Journal</i> | Thunder Bay      | Ontario          | 6/24  | E5     | 7/8  | D4    |
| <i>Prince George Citizen</i>         | Prince George    | British Columbia | 6/23  | B15    | 7/7  | pg 7  |
| <i>Sudbury Star</i>                  | Greater Sudbury  | Ontario          | 6/23  | A4     | 7/7  | A8    |
| <i>Sault Ste Marie Star</i>          | Sault Ste. Marie | Ontario          | 6/24  | A4     | 7/8  | B7    |
| <i>Kamloops Daily News</i>           | Kamloops         | British Columbia | 6/24  | A7     | 7/8  | A7    |
| <i>Le Soleil*</i>                    | Québec           | Québec           | 7/8   | 24     | 7/15 | pg 29 |
| <i>Le Journal de Québec*</i>         | Québec           | Québec           | 7/8   | pg 125 | 7/15 | pg 36 |
| <i>Klondike Sun</i>                  | Dawson City      | Yukon            | 7/5   | pg 3   | 7/19 | pg 3  |
| <i>L'Aurore Boreale*</i>             |                  | Yukon            | 6/23  | pg 7   | 7/7  | pg 7  |
| <i>Whitehorse Star</i>               | Whitehorse       | Yukon            | 6/23  | pg 17  | 7/7  | pg 18 |
| <i>Yukon News</i>                    | Whitehorse       | Yukon            | 6/23  | pg 19  | 7/14 | pg 29 |

\*Notice appeared in French.

59. Notices also appeared in 40 Aboriginal publications, as full page units in these highly targeted vehicles. In bilingual publications, multiple Notices appeared, once in English or French and again in the primary Native language(s) of the publication. A total of 50 insertions appeared, including the negotiated free insertions outlined in paragraph 63. In sum, the number of Aboriginal publications utilized, and the number of notice appearances within them, exceeded the program outlined in the Notice Plan, by four and nine, respectively.

60. The Notice was produced and appeared in six different languages: English, French, Inuktitut, Innuinaqtun, Siglit and Oji-Cree.



61. As with the mainstream newspapers, prominent positioning of the Notices increased noticeability among potential Class members. Sixty-nine percent of the Notices appeared within the first 10 pages of the publications.

62. Following are the Aboriginal publications with the dates, page numbers, and languages for each notice appearance:

| <b>Publication</b>         | <b>Coverage</b> | <b>Province/<br/>Territory</b> | <b>Ad<br/>Language</b> | <b>Issue Date<sup>5</sup></b> | <b>On Sale<br/>Date<sup>6</sup></b> | <b>Page<br/>#</b> |
|----------------------------|-----------------|--------------------------------|------------------------|-------------------------------|-------------------------------------|-------------------|
| <i>Aboriginal Times</i>    | National        |                                | English                | July/August                   | 6/29                                | pg 31             |
| <i>First Nation Voices</i> | National        |                                | English                | Summer                        | 6/28                                | pg 5              |
| <i>Windspeaker</i>         | National        |                                | English                | August                        | 7/17                                | pg 2              |
| <i>Native Journal</i>      | National        |                                | English                | July                          | 6/26                                | pg 5              |
| <i>Alberta Native News</i> | Regional        | Alberta                        | English                | July                          | 7/15                                | pg 5              |
| <i>Alberta Sweetgrass</i>  | Regional        | Alberta                        | English                | July                          | 7/3                                 | pg 14             |
| <i>Opportunity North</i>   | Regional        | Northern Saskatchewan          | English                | Summer                        | 6/22                                | pg 19             |
| <i>Western Native News</i> | Regional        | British Columbia and Yukon     | English                | July                          | 7/5-7/9                             | pg 3              |
| <i>First Nations Drum</i>  | Regional        | Eastern Canada                 | English                | July                          | 7/7                                 | pg 2              |
| <i>Ha-Shilth-Sa</i>        | Regional        | British Columbia               | English                | 6/29                          | 6/29                                | pg 7              |
| <i>Kahtou News</i>         | Regional        | British Columbia               | English                | July                          | 7/3                                 | pg 7              |
| <i>Secwepemc News</i>      | Regional        | British Columbia               | English                | July                          | 7/4                                 | pg 5              |

<sup>5</sup> The “cover” date.

<sup>6</sup> The approximate date the publication first becomes available to its readers.

|                                      |          |                       |             |             |      |       |
|--------------------------------------|----------|-----------------------|-------------|-------------|------|-------|
| <i>The Drum/First Perspective</i>    | Regional | Manitoba              | English     | June        | 6/20 | pg 9  |
| <i>Natotawin</i>                     | Regional | Manitoba              | English     | 6/30        | 6/30 | pg 9  |
| <i>Deh Cho Drum</i>                  | Regional | Northwest Territories | English     | 6/22        | 6/22 | pg 4  |
| <i>The Hay River Hub</i>             | Regional | Northwest Territories | English     | 6/28        | 6/28 | pg 3  |
| <i>Inuvik Drum</i>                   | Regional | Northwest Territories | English     | 6/22        | 6/22 | pg 4  |
| <i>Kivalliq News</i>                 | Regional | Nunavut               | English     | 6/28        | 6/28 | pg 8  |
| <i>Kivalliq News</i>                 |          | Nunavut               | Inuktitut   | 6/28        | 6/28 | pg 2  |
| <i>L'Aquilon</i>                     | Regional | Northwest Territories | French      | 6/23        | 6/23 | pg 11 |
| <i>Nunavut News/North</i>            | Regional | Nunavut               | Inuktitut   | 6/26        | 6/26 | pg 10 |
| <i>Nunavut News/North</i>            |          | Nunavut               | Innuinaqtun | 6/26        | 6/26 | pg 8  |
| <i>Nunavut News/North</i>            |          | Nunavut               | English     | 6/26        | 6/26 | pg 12 |
| <i>NWT News/North</i>                | Regional | Northwest Territories | English     | 6/26        | 6/26 | pg 2  |
| <i>Nunatsiaq News</i>                | Regional | Northwest Territories | English     | 7/7         | 7/7  | pg 9  |
| <i>Nunatsiaq News</i>                |          | Northwest Territories | Inuktitut   | 7/7         | 7/7  | pg 7  |
| <i>Nunatsiaq News</i>                |          | Northwest Territories | Innuinaqtun | 7/7         | 7/7  | pg 15 |
| <i>The Slave River Journal</i>       | Regional | NWT, Alberta          | English     | 6/28        | 6/28 | pg 12 |
| <i>Tusaayaksat</i>                   | Regional | Northwest Territories | English     | July/August | 7/3  | pg 5  |
| <i>Tusaayaksat</i>                   |          | Northwest Territories | Siglit      | July/August | 7/3  | pg 15 |
| <i>Mi'kmaq-Maliseet Nations News</i> | Regional | Nova Scotia           | English     | July        | 7/6  | pg 5  |
| <i>Anishinabek News</i>              | Regional | Ontario               | English     | July/August | 7/24 | pg 24 |
| <i>Tekawennake</i>                   | Regional | Ontario               | English     | 6/28        | 6/28 | pg 5  |
| <i>Turtle Island News</i>            | National | Ontario               | English     | 6/28        | 6/28 | pg 7  |

|  |          |                 |          |        |      |       |
|--|----------|-----------------|----------|--------|------|-------|
| <i>Wawatay News</i>                                | Regional | Ontario         | English  | 7/13   | 7/13 | B9    |
| <i>Wawatay News</i>                                |          | Ontario         | Oji-Cree | 7/13   | 7/13 | B10   |
| <i>Eastern Door</i>                                | Regional | Québec          | English  | 6/23   | 6/23 | pg 13 |
| <i>The Nation</i>                                  | Regional | Québec /Ontario | English  | 7/7    | 7/10 | pg. 6 |
| <i>Saskatchewan Sage</i>                           | Regional | Saskatchewan    | English  | July   | 7/3  | pg 15 |
| <b><u>Additional Publications:<sup>7</sup></u></b> |          |                 |          |        |      |       |
| <i>Grassroots News</i>                             | Regional | Manitoba        | English  | 7/4    | 7/4  | pg 7  |
| <i>Eagle Feather News</i>                          | Regional | Saskatchewan    | English  | July   | 7/12 | pg 3  |
| <i>First Nations Free Press</i>                    | National |                 | English  | July   | 7/6  | pg 3  |
| <i>First Nations Free Press</i>                    |          |                 | French   | July   | 7/6  | pg 5  |
| <i>The Voice</i>                                   | Regional | N. Ontario      | French   | 7/11   | 7/11 | pg 4  |
| <i>Elsipogtogeoei</i>                              | Regional | New Brunswick   | French   | July   | 7/27 | pg 7  |
| <i>Thunder Voice News</i>                          | Regional | Manitoba        | English  | August | 7/28 | pg 12 |
| <i>Le Journal Innuvelle</i>                        | Regional | Québec          | French   | August | 7/28 | pg 17 |
| <i>Prince Albert Grand Council Tribune</i>         | Regional | Saskatchewan    | English  | August | 7/31 | pg 7  |

63. During implementation, we scrutinized each placement in terms of production quality and positioning. No placements were deficient so as to reduce readership, nonetheless, when some placements did not meet our high standards based on what we requested from the publishers, we negotiated additional free notice placements.

<sup>7</sup> Reflected in the Aboriginal publication appearances are eight publications with a total of nine insertions (the Notice appeared in both English and French in *First Nations Free Press*), which were added to the schedule after the Notice Plan had been approved and implementation begun.

As a result, we received two additional Notices at no charge on the dates and page numbers detailed below:

| <b>Publication</b>    | <b>Coverage</b> | <b>Province/<br/>Territory</b> | <b>Ad<br/>Language</b> | <b>Insertion<br/>Date</b> | <b>On Sale<br/>Date</b> | <b>Page #</b> |
|-----------------------|-----------------|--------------------------------|------------------------|---------------------------|-------------------------|---------------|
| <i>Elsipogtogeoei</i> | Regional        | New Brunswick                  | English                | August                    | 8/1                     | p 7           |
| <i>Wawatay News</i>   | Regional        | Ontario                        | English                | 8/24                      | 8/24                    | TBD           |

64. We have in our possession actual proof of performance for each of the publication notice appearances which can be provided upon request.

**Television Notice**

65. Television Notices appeared in six different languages: English, French, Inuktitut, Dogrib, Cree, and Innu, beginning June 26, 2006 and airing through July 28, 2006.

66. In total, 338 television spots broadcast throughout Canada, representing approximately 29 different television programs on Aboriginal Peoples Television Network (“APTN”) and Canadian Broadcasting Corporation (“CBC”) North. These Television Notice appearances, many of which we obtained free of charge, exceeded the 100 appearances that were called for under the Notice Plan.

67. The following provides the program, day/time, language and weeks during which the television spots aired:

| Program                            | Day/Time            | Language  | w/o<br>6/26 | w/o<br>7/3 | w/o<br>7/10 | 7/17 –<br>7/28 | TOTAL      |
|------------------------------------|---------------------|-----------|-------------|------------|-------------|----------------|------------|
| <b>APTN NETWORK:</b>               |                     |           |             |            |             |                |            |
| Movies - Prime Time                | M,W,F & Sun 9-11 PM | English   | 8           | 8          | 8           |                | 24         |
| Movies - Repeats                   | M,W,F & Sat 12-2 AM | English   | 8           | 8          | 8           |                | 24         |
| APTN National News-afternoon       | M-F 1-1:30 PM       | English   | 6           | 6          | 6           |                | 18         |
| APTN National News-evening         | M-F 7-7:30 PM       | English   | 6           | 6          | 6           |                | 18         |
| APTN National News: Contact        | Fri 7:30-8:30 PM    | English   | 2           | 2          | 2           |                | 6          |
| APTN Late News                     | M-F 2:30-3:00 AM    | English   | 6           | 6          | 6           |                | 18         |
| ROS (Run of Schedule)              |                     | English   | 13          | 22         | 23          | 1              | 58         |
| <b>Sub-Total English (:30s):</b>   |                     |           | <b>49</b>   | <b>58</b>  | <b>59</b>   | <b>1</b>       | <b>167</b> |
| Inuit Piqqusingit                  | Mon 10-10:30 AM     | Inuktitut |             |            | 2           | 1              | 3          |
| Inuit Piqqusingit                  | Mon 6-6:30 PM       | Inuktitut |             |            | 1           | 2              | 3          |
| Nunavut Elders                     | Mon 10:30-11 AM     | Inuktitut |             |            | 2           | 1              | 3          |
| Nunavut Elders                     | Mon 2:30-3 PM       | Inuktitut |             |            | 1           | 1              | 2          |
| Nunavut Elders                     | Mon 6:30-7 PM       | Inuktitut |             |            | 1           | 2              | 3          |
| Kippingujautiit                    | Tues 10:30 -11 AM   | Inuktitut |             | 1          | 1           | 1              | 3          |
| Kippingujautiit                    | Tues 2:30-3 PM      | Inuktitut |             |            | 1           | 1              | 2          |
| Kippingujautiit                    | Tues 6:30-7 PM      | Inuktitut |             | 1          | 1           | 1              | 3          |
| Nunavimmiut                        | Wed 10:30 -11 AM    | Inuktitut |             | 1          | 1           | 1              | 3          |
| Nunavimmiut                        | Wed 2:30-3 PM       | Inuktitut |             |            |             | 1              | 1          |
| Nunavimmiut                        | Wed 6:30-7 PM       | Inuktitut |             | 1          | 1           | 1              | 3          |
| Labradorimuit                      | Fri 10:30 -11 AM    | Inuktitut |             | 1          | 1           | 1              | 3          |
| Labradorimuit                      | Fri 2:30-3 PM       | Inuktitut |             |            | 1           | 1              | 2          |
| Qaujisaut                          | Fri 6-6:30 PM       | Inuktitut |             | 1          | 2           | 1              | 4          |
| Qaujisaut                          | Sat 10:30 -11 AM    | Inuktitut |             | 1          | 1           | 1              | 3          |
| Qaujisaut                          | Sat 2-2:30 PM       | Inuktitut |             | 1          | 1           | 1              | 3          |
| ROS (Run of Schedule)              |                     | Inuktitut |             |            | 1           |                | 1          |
| <b>Sub-Total Inuktitut (:60s):</b> |                     |           |             | <b>8</b>   | <b>19</b>   | <b>18</b>      | <b>45</b>  |
| Our Dene Elders                    | Tues 6-6:30 PM      | Dogrib    | 1           | 1          | 1           |                | 3          |
| Our Dene Elders                    | Thurs 10-10:30 AM   | Dogrib    | 1           | 1          | 1           |                | 3          |
| Haa Shagoon                        | Wed 10-10:30 AM     | Dogrib    | 1           | 1          | 1           |                | 3          |
| Haa Shagoon                        | Wed 2-2:30 PM       | Dogrib    | 1           |            | 1           |                | 2          |
| Haa Shagoon                        | Thurs 6-6:30 PM     | Dogrib    | 1           | 1          | 1           |                | 3          |
| <b>Sub-Total Dogrib (:30s):</b>    |                     |           | <b>5</b>    | <b>4</b>   | <b>5</b>    |                | <b>14</b>  |
| Maamuitaau                         | Mon 2-2:30 PM       | Cree      | 1           |            | 1           |                | 2          |
| Maamuitaau                         | Wed 6-6:30 PM       | Cree      | 1           | 1          |             |                | 2          |
| Creative Native                    | Thurs 10:30-11 AM   | Cree      | 1           | 1          |             |                | 2          |
| Dab Iyuu                           | Fri 6:30-7 PM       | Cree      | 1           | 1          |             |                | 2          |

AFFIDAVIT OF TODD B. HILSEE ON COMPLETION AND ADEQUACY  
OF PHASE I OF NOTICE PROGRAM

|                                 |  |           |           |           |            |           |            |
|---------------------------------|--|-----------|-----------|-----------|------------|-----------|------------|
| Spirit Creations                | Sat 2:30-3 PM                          | Cree      | 1         |           | 1          |           | 2          |
| Spirit Creations                | Sat 6:30-7 PM                          | Cree      | 1         |           | 1          |           | 2          |
| Beyond Words IV                 | Sat 6-6:30 PM                          | Cree      | 1         | 1         |            |           | 2          |
| Venturing Forth                 | Sun 10-10:30 AM                        | Cree      | 1         |           | 1          |           | 2          |
| Dab Iyuu                        | Sun 10:30-11 AM                        | Cree      | 1         | 1         |            |           | 2          |
| Dab Iyuu                        | Sun 2:30-3 PM                          | Cree      | 1         |           | 1          |           | 2          |
| Dab Iyuu                        | Sun 6:30-7 PM                          | Cree      | 1         |           | 1          |           | 2          |
| Maamuitaau                      | Sun 7-7:30 PM                          | Cree      | 1         | 1         |            |           | 2          |
| ROS (Run of Schedule)           |  | Cree      |           | 1         | 2          |           | 3          |
| <b>Sub-Total Cree (:30s):</b>   |  |           | <b>12</b> | <b>7</b>  | <b>8</b>   |           | <b>27</b>  |
| Innu Aitun                      | Fri 10-10:30 AM                        | Innu      | 1         | 1         | 1          |           | 3          |
| Innu Aitun                      | Fri 2-2:30 PM                          | Innu      | 1         | 1         | 1          |           | 3          |
| Mikuan & Tshako                 | Sat 10-10:30 AM                        | Innu      | 1         |           | 1          |           | 2          |
| ROS (Run of Schedule)           |  | Innu      | 2         |           |            |           | 2          |
| <b>Sub-Total Innu (:60s):</b>   |  |           | <b>5</b>  | <b>2</b>  | <b>3</b>   |           | <b>10</b>  |
| Notre Peuple                    | Sun 8-9 PM                             | French    |           | 1         | 1          |           | 2          |
| La 13ième Lune                  | Mon 8-8:30 PM                          | French    | 1         |           |            |           | 1          |
| La 13ième Lune                  | Fri 11-11:30 AM                        | French    | 1         |           |            |           | 1          |
| La 13ième Lune                  | Sat 5:30-6 PM                          | French    | 1         |           |            |           | 1          |
| Légendes Vivantes d'outre-mer   | Mon 8:30-9 PM                          | French    | 1         |           |            |           | 1          |
| Légendes Vivantes d'outre-mer   | Tues 11-11:30 AM                       | French    | 1         |           |            |           | 1          |
| Nikan                           | Tues 5-5:30 PM                         | French    |           | 1         | 1          |           | 2          |
| Nikan                           | Tues 8-8:30 PM                         | French    | 1         |           | 1          |           | 2          |
| Nikan                           | Sun 7:30-8 PM                          | French    | 1         | 1         | 1          |           | 3          |
| Tshinanu                        | Wed 11-11:30 AM                        | French    | 1         | 1         | 1          |           | 3          |
| Tshinanu                        | Wed 5:30-6 PM                          | French    | 1         |           |            |           | 1          |
| Tshinanu                        | Tues 8-8:30 PM                         | French    | 0         | 1         | 1          |           | 2          |
| ROS (Run of Schedule)           |  | French    | 4         | 4         | 8          | 1         | 16         |
| <b>Sub-Total French (:60s):</b> |  |           | <b>13</b> | <b>9</b>  | <b>14</b>  | <b>1</b>  | <b>37</b>  |
| <b>TOTAL APTN NETWORK:</b>      |  |           | <b>84</b> | <b>88</b> | <b>108</b> | <b>20</b> | <b>300</b> |
|                                 |  |           |           |           |            |           |            |
| <b>CBC NORTH NETWORK:</b>       |  |           |           |           |            |           |            |
| Northbeat                       | Mon-Fri 6-6:30 PM                      | English   |           | 4         | 5          | 10        | 19         |
| Igalaag                         | Mon-Fri 4:00 PM (& repeats at 5:30 PM) | Inuktitut |           | 4         | 5          | 10        | 19         |
| <b>TOTAL CBC NORTH NETWORK:</b> |  |           |           | <b>8</b>  | <b>10</b>  | <b>20</b> | <b>38</b>  |
|                                 |  |           |           |           |            |           |            |
| <b>GRAND TOTAL:</b>             |  |           | <b>84</b> | <b>96</b> | <b>118</b> | <b>40</b> | <b>338</b> |

68. Upon request, a compact disc containing the produced Television Notices can be provided, as well as, the station log entries from the television station representatives showing the actual air times of the spots, which is a standard proof of performance in television.

69. In addition to the paid television broadcasts, we sent a copy of the English television spot to CBC North television for national broadcast as a public service announcement (“PSA”). CBC North television was also sent the English and Inuktitut television spots for regional broadcast in the Nunavut, Northwest Territories, and Nunavik areas. Although not traceable, we have been assured that the television spots were broadcast.

#### **Radio Notice**

70. Aboriginal radio networks and stations played an important role in the dissemination of Phase I Notices. With approximately 325 station transmitters reaching at least 430 Aboriginal communities, and Radio Notices customized to the predominant language(s) used within each networks’ coverage area, we were able to effectively communicate with potential Class members through vehicles where local and cultural news is regularly obtained. The Radio Notices were especially important in increasing reach among former students and family members who are illiterate and/or live in certain remote areas.

71. We were able to negotiate more than double the number of spots called for in the Notice Plan, without spending additional funds. Of the 11 radio networks outlined

on the Notice Plan, an average of 110 spots aired on each network rather than the 40 spots per network promised in the Plan. This higher frequency allowed us to produce the Radio Notice in additional languages and dialects, and air an effective schedule for each. We also utilized non-network radio stations, above and beyond the Plan, reaching additional First Nations in Québec.

72. The Radio Notice was produced and broadcast in 20 languages/dialects, including: Atikamekw, Chipewyan (Denesuline), Coastal Cree, Cree, Déné, Dogrib (Tlicho), English, French, Gwich'n, Innu, Inuktitut (Hudson Strait), Inuktitut (Labrador), North Slavey, Ojibway, Oji-Cree, Québec Cree, South Slavey, Southern Tutchone, Tlingit and Woodland Cree.

73. Spots were broadcast on radio stations within the following Aboriginal communications organizations and radio networks:<sup>8</sup>

- a) Aboriginal Multimedia Society of Alberta ("AMMSA"; CFWE-FM), covering Alberta (except Edmonton and Calgary), with a heavy focus on rural areas;
- b) James Bay Cree Communications Society ("JBCCS") Network, reaching Northern Québec;
- c) Missinipi Broadcasting Corporation ("MBC") Network, broadcasting throughout Saskatchewan;

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<sup>8</sup> These communications organizations are eligible to receive funding through the Northern Native Broadcast Access Program ("NNBAP"), which is administered by the Department of Canadian Heritage and provides funding support for Aboriginal radio and television programming and distribution.



- d) Native Communications Inc. (“NCI”) Network, covering over 98% of Manitoba;
- e) Native Communications Society of the Western Northwest Territories (CKLB-FM), broadcasting in the Northwest Territories;
- f) Northern Native Broadcasting – Terrace (CFNR-FM), reaching central and northern British Columbia, as well as parts of Yukon;
- g) Northern Native Broadcasting – Yukon (CHON-FM), covering communities in the Yukon, western Northwest Territories, and a small portion of northern British Columbia;
- h) OkalaKatiget Society (CKOK Radio), broadcasting on the north coast and the Lake Melville area of Labrador;
- i) Societé de Communications Atikamekw Montagnais (“SOCAM”) Network, reaching communities in central and northern Québec, as well as Labrador;
- j) Taqramiut Nipingat Ltd. (“TNI”), broadcasting to Nunavik communities; and
- k) Wawatay Native Communications Society Radio Network (“WRN”), reaching Ontario.

74. The table below indicates the approximate number of radio station transmitters and Aboriginal communities throughout Canada reached by each of the networks/stations.

| <b>Network/Station</b> | <b>Approximate # of Station Transmitters</b> | <b>Approximate # of Communities</b> |
|------------------------|--|-------------------------------------|
| AMMSA/CFWE-FM          | 41   | 58                                  |

|  |            |            |
|--|------------|------------|
| JBCCS Network  | 9          | 9          |
| MBC Network Radio  | 59         | 70         |
| NCI-FM/Network   | 60         | 100        |
| Native Communications Society of the Western NW Territories/CKLB-FM        | 28         | 28         |
| Northern Native Broadcasting - Terrace/CFNR-FM (Canada First Nation Radio) | 60         | 60         |
| Northern Native Broadcasting – Yukon/CHON-FM                               | 25         | 25         |
| OKalaKatiget Society/CKOK Radio  | 7          | 7          |
| SOCAM Network  | 12         | 14         |
| TNI  | 14         | 14         |
| WRN  | 1          | 40         |
| Individual stations reaching additional First Nations of Québec            | 10         | 10         |
| <b>TOTAL:</b>  | <b>326</b> | <b>435</b> |

75. Attached as **Exhibit 4** is a partial listing of the radio station transmitter locations.<sup>9</sup>

76. The table below highlights the different languages in which the Radio Notice aired on each network/station, in accordance with the language(s) of their programming and/or the predominant language(s) used by their listeners. Networks with multiple language programming received a higher number of spots, to ensure effective exposure of each version of the Notice. The table also includes bonus (free) spots that were negotiated during the implementation process.

77. The vast majority of spots aired from June 26 through July 16, 2006; all spots aired by August 11, 2006.

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<sup>9</sup> A full and accurate list of communities within each networks' coverage area is not available from many of the networks. Most, however, were able to provide approximate counts and locations of their transmitters.

| Organization/Network   | Language              | Number of Network Spots Aired <sup>10</sup> |            |                    |               |
|--|-----------------------|---|------------|--------------------|---------------|
|  |                       | 6/26-7/16                                   | 7/17-8/11  | Total per Language | Network Total |
| AMMSA - CFWE-FM  | English               | 57  | 0          | 57                 | 57            |
| JBCCS Network  | English               | 50  | 3          | 53                 | 105           |
|  | Québec Cree           | 49  | 3          | 52                 |               |
| MBC Network Radio  | English               | 45  | 0          | 45                 | 105           |
|  | Cree (Woodland)       | 30  | 0          | 30                 |               |
|  | Déné                  | 30  | 0          | 30                 |               |
| NCI-FM/Network   | English               | 68  | 0          | 68                 | 116           |
|  | Cree                  | 24  | 0          | 24                 |               |
|  | Ojibway               | 24  | 0          | 24                 |               |
| Native Communications Society of the Western NW Territories /CKLB-FM       | English               | 15  | 0          | 15                 | 90            |
|  | Dogrib (Tlichó)       | 14  | 1          | 15                 |               |
|  | North Slavey          | 15  | 0          | 15                 |               |
|  | South Slavey          | 15  | 0          | 15                 |               |
|  | Gwitch'n              | 15  | 0          | 15                 |               |
|  | Chipewyan(Denesuline) | 15  | 0          | 15                 |               |
| Northern Native Broadcasting - Terrace/CFNR-FM (Canada First Nation Radio) | English               | 51  | 26         | 77                 | 77            |
| Northern Native Broadcasting - Yukon/CHON-FM                               | English               | 15  | 30         | 45                 | 115           |
|  | Gwitch'n              | 9   | 20         | 29                 |               |
|  | Southern Tutchone     | 6   | 15         | 21                 |               |
|  | Tlingit               | 5   | 15         | 20                 |               |
| OKalaKatiget Society/CKOK Radio  | English               | 27  | 21         | 48                 | 96            |
|  | Inuktitut (Labrador)  | 26  | 22         | 48                 |               |
| SOCAM Network  | English               | 24  | 0          | 24                 | 204           |
|  | Innu                  | 45  | 0          | 45                 |               |
|  | Atikamekw             | 45  | 0          | 45                 |               |
|  | French                | 90  | 0          | 90                 |               |
| TNI  | English               | 28  | 2          | 30                 | 90            |
|  | Inuktitut (Hudson)    | 42  | 3          | 45                 |               |
|  | French                | 14  | 1          | 15                 |               |
| WRN (Wawatay Radio Network)  | English               | 33  | 27         | 60                 | 164           |
|  | Oji-Cree              | 35  | 0          | 35                 |               |
|  | Ojibway               | 31  | 2          | 33                 |               |
|  | Coastal Cree          | 0   | 36         | 36                 |               |
| <b>GRAND TOTAL:</b>  |                       | <b>992</b>                                  | <b>227</b> | <b>1219</b>        | <b>1219</b>   |

<sup>10</sup> The number of spots shown indicates the number of spots that broadcast on each station/transmitter within that network.

78. An average of 45 spots aired on each of the 10 stations reaching the additional First Nations in Québec discussed earlier. The Notice aired in English on five of the stations, in French on three of the stations, and a combination of English and French on two of the stations:

| Network/Station  | Language | Number of Spots Aired |           |                    |                  |
|--|----------|-----------------------|-----------|--------------------|------------------|
|  |          | 6/26-7/16             | 7/17-8/11 | Total/<br>Language | Network<br>Total |
| Individual Stations (10)<br>reaching additional First<br>Nations of Québec | English  | 265                   | 0         | 265                | 451              |
|  | French   | 140                   | 46        | 186                |                  |
| <b>GRAND TOTAL:</b>  |          | <b>405</b>            | <b>46</b> | <b>451</b>         | <b>451</b>       |

79. We have in our possession the station log entries from the radio station representatives as proof of the airing of the Radio Notice spots. These can be provided upon request, together with a compact disc and/or cassette containing the produced Radio Notices.

80. In addition to the paid media broadcasts, we sent the radio script to CBC Radio in Yellowknife and the Yukon. CBC accepts and airs PSAs on their stations. Although not traceable, we have been assured that the PSAs were read on air.

#### **FAX DISTRIBUTION**

81. On June 22, 2006, a fax with the appropriate Summary Notice attached for distribution was sent to First Nation Band Offices alerting them to the proposed settlement.

A total of 610 cover letters and Notices were faxed, of which 563 were in English/French and 47 were in English/French/Inuktitut.

82. As noted under the Informational Release section, we exceeded the Notice Plan for faxing information, by sending information about the settlement to 30 publication editors, 13 radio station managers, and 336 other potentially interested Aboriginal-related organizations.

#### **EMAIL DISTRIBUTION**

83. On June 22, 2006, emails with the appropriate Summary Notice attached for distribution were sent to First Nations, Inuit, Inuvialuit, and Métis organizations. Of the 243 emails sent, 178 included non-Inuit organizations and 65 were Inuit organizations and branches.

#### **OTHER NOTICE**

84. In addition to the activities outlined in the Notice Plan, additional notice efforts were undertaken to enhance the already comprehensive Notice Program, with the help of the government's IRSRC unit and the AFN.

85. For example, Summary Notices were provided to Service Canada for distribution to all 323 permanent service centers and 117 temporary outreach offices. Notices were also sent to every federal penitentiary and provincial institution. Working through Canada Post, Summary Notices were mailed to all 28,000 addresses in the three northern territories of Nunavut, Northwest and Yukon.

86. Additionally, we created a DVD containing all six language variations of the Television Notice that was distributed to the federal penitentiaries for viewing.

87. The AFN has continued its work to inform its communities through its residential schools unit by traveling and meeting with former students.

### **CALL CENTER**

88. The toll-free 800 number, which was prominently displayed in all advertising, became operational on June 22, 2006, allowing callers access to English, French, and Aboriginal language speakers, as needed.

89. According to data from the claims administrator, as of August 18, 2006 7,765 phone calls have been received via the 800 number, including 6,667 calls handled in English, 133 in French, 75 in Cree, Déné, and Sauteaux, and 33 in Inuktitut<sup>11</sup>.

90. In addition, 111 calls have been transferred to the Mental Health Crisis Line, and 409 have been transferred to the government's ADR process. The average length of each call has been 6.48 minutes.

91. Of the 5,665 registered phone calls, 1,236 have come from British Columbia, 999 from Alberta, 1,147 from Saskatchewan, 783 from Manitoba, 609 from Ontario, 274 from the Northwest Territories, 197 from Nunavut, 196 from Quebec, 102

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<sup>11</sup>The other 857 calls were "abandoned" calls including wrong numbers, hang-ups, etc.

from the Yukon, 62 from the United States, 19 from New Brunswick, 29 from Nova Scotia, nine from Newfoundland and Labrador, and three from Prince Edward Island.

### OPINIONS

92. The Phase I program fairly and adequately covered the Class without excluding any demographic group or geographic area.

93. The program is on target to exceed the 91.1% reach and 6.3 average frequency of exposure, among all Aboriginal people 25 years and older, from the combined Phase I and Phase II efforts.

94. The Notices appeared as planned in every province and territory in Canada, in 20 different languages and dialects, reaching First Nations, Métis, Inuvialuit and Inuit populations.

95. With Notices starting on June 22, 2006, Class members had plenty of time prior to the hearing dates, starting August 29, 2006, to decide whether to object to any part of the proposed settlement. All of the Notices appeared before the start of the hearings, with the majority appearing before mid-July, thereby allowing plenty of time for affected people to see the Notice and decide how they would like to proceed.

96. The design and content of the Notices drew attention to, and allowed comprehension of, the Notices. The Notices were in plain, easily understandable language, conforming to the highest modern principles of effective communication that courts have

applauded and endorsed in the U.S. and Canada. The Notices we designed were noticeable, clear, simple, substantive, and informative. No significant or required information was missing.

97. The Notices were culturally appropriate and sensitive to the residential school experience, through both wording and graphics. The Notices were produced with specialized graphics and were placed in such a way as to go beyond the requirements and commitments outlined in the Notice Plan, by creating various versions of Notices that were culturally appropriate for the different Aboriginal populations and communities.

98. Class members had more than adequate assistance available, because the Notice Program dovetailed with a call center run by the claims administrator where affected people could speak with trained operators who were prepared to answer detailed questions or request that additional information be sent to them.

99. While response was not required at this stage of the process in order to obtain a payment from the proposed settlement when available (because participation is not required during the Hearing Notice Phase of the Notice Program), the response received at the call center and at the website supports the conclusion that Notices effectively reached Class members.

100. A primary objective of the Phase I Notice Program was to reach affected people with a “noticeable” Notice informing them that the settlement process has begun



and that they could provide their views about the proposed settlement at the upcoming hearing dates. These efforts were successful.

101. In my opinion, the Notice Program provided the best notice practicable under the circumstances of this case. The program was overwhelmingly effective in reaching affected people and delivering information about the upcoming hearing dates.

## PHASE II

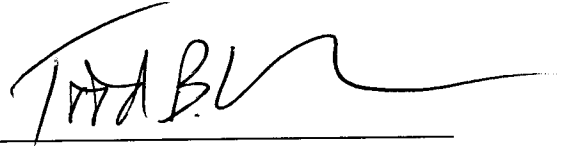
102. If the Courts approve the settlement, we stand ready to implement Phase II, allowing Class members to exercise the right to opt-out of the settlement. The Court-approved Notice Plan describes all of the activities that will take place to distribute Notices leading up to an opt-out deadline.

103. My staff and I have drafted and designed Phase II Notices. These are all attached as **Exhibit 5**. The Notices will continue to build on the success of the Phase I Notices and allow Class members to request exclusion from the Class or request a claim form package when they are available. At the appropriate time, and upon receiving any further input from the lawyers and the Courts, I will finalize the Phase II Notices and prepare them for production. From the time of Court-approval of the content and form of these Notices, Phase II Notices may begin to appear 35 days later.

104. From the time that Phase II Notices begin to appear, I understand that the parties have agreed upon a five-month time period during which Class members may elect to opt-out of the Class. I believe that this amount of time is appropriate given the

importance of the opt-out right. While Phase I is obviously important in that Class members had the ability to provide the Courts with feedback before the settlement becomes final, any lack of notice leaves them still able to pursue other legal options or receive a payment. During Phase II, a lack of notice renders a Class member bound by the settlement and unable to pursue other legal recourse. For that reason I support a five-month opt-out period, longer than the two-month period provided for objections.

SWORN before me at the Borough of Souderton, )  
in the State of Pennsylvania , U.S.A., )  
this 23 day of August, 2006. )



Todd B. Hilsee

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
JoAnn King, Notary Public  
Souderton Boro, Montgomery County  
My Commission Expires Apr. 4, 2010  
Member, Pennsylvania Association of Notaries

## Hilsoft Notifications

Philadelphia Area Office: 123 East Broad Street, Souderton, PA 18964, (215) 721-2120, (215) 721-6886 fax

Nation's leading expert firm for large-scale, unbiased, full service class action and bankruptcy bar date notice plan design, implementation, and analysis ❖ 1st notice expert recognized in the US by Federal/State Courts & published decisions—and in Canada under the Ontario Class Proceedings Act of 1992 ❖ Court-approved notice plans have withstood challenge to US Supreme Court ❖ Our cited use of media audience data to establish "net reach of unknown class members" is now a cornerstone of methodology for notice adequacy ❖ Enjoy 60+ favorable judicial comments – 0 unfavorable ❖ Only notice expert to testify before Advisory Committee on amendments to Fed. R. Civ. Proc. 23, resulting in writing and designing 'model' plain language notices for the FJC, available at [www.fjc.gov](http://www.fjc.gov) ❖ Our innovative designs are widely followed as the standard method and form of notice ❖ First intelligent web-site Q&A engine ❖ More than 25 published articles ❖ Nationally recognized due process speaker ❖ Expert witness for defendants and plaintiffs ❖ Cases total more than 215 with media notices appearing in 209 countries and 52 different languages. ❖ 25 MDL cases ❖ Case examples include:

- Most comprehensive notice ever in a securities class action for the \$1.1 billion settlement of ***In re Royal Ahold Securities and ERISA Litigation***. Hilsee received court recognition upon settlement approval.
- Largest and most complex class action in Canadian history. Designed/implemented groundbreaking notice to disparate, remote aboriginal people in the multi-billion dollar ***In re Residential Schools Litigation***.
- Largest race-based pricing case with national settlement notice to 25 million policyholders in, ***Thompson v. Metropolitan Life Ins. Co.***, 216 F.R.D. 55, 62-68 (S.D. N.Y. 2003).
- Most complex notice program in history by providing worldwide notice in the \$1.25 billion settlement of ***In re Holocaust Victims Assets, "Swiss Banks,"*** No. CV-96-4849 (E.D.N.Y.). Designed/implemented all U.S. and international media notice with 500+ publications in 40 countries and 27 languages.
- The largest U.S. claims process ever. Designed/implemented multi-media notice campaign for the U.S. Dept. of Agriculture's \$10 billion tobacco grower's transition payment program.
- National settlement notice to 40 million people in ***Scott v. Blockbuster***, No. D 162-535 (Tex., 136th Jud. Dist.) withstood collateral review, ***Peters v. Blockbuster*** 65 S.W.3d 295, 307 (Tex. App.-Beaumont, 2001).
- Multi-national claims bar date notice ***In re The Babcock & Wilcox Co.***, No. 00-10992 (E.D. La.) to asbestos personal injury claimants. Opposing notice expert's reach methodology challenge rejected by court.
- National publication notice in ***Avery v. State Farm***, No. 97-L-114 (Cir. Ct. Ill.) withstood challenges to Illinois Supreme Court and U.S. Supreme Court, and re-affirmed in ***Avery v. State Farm***, 321 Ill. App. 3d 269 (5<sup>th</sup> Dist. 2001). Notice program untouched when Illinois Supreme Court decertified Class.
- National settlement notice ***In re Synthroid Marketing Litig.***, MDL 1182 (N.D. Ill.). Notice withstood appellate challenge, 264 F.3d 712, 716 (C.A.7 (Ill.), 2001).
- Scrutinized opposing notice expert opinion in ***Parsons/Currie v. McDonalds*** resulting in widely reported published decision, 2004 WL 40841 para. 49-58 (Ont. S.C.J. 2004) upheld on appeal ***Currie v. McDonald's Rests. of Canada Ltd.***, 2005 CanLII 3360 (ON C.A.).
- ***In re Dow Corning Corp.***, No. 95-20512-11-AJS (Bankr. E.D. Mich.). Designed global breast implant U.S. and foreign media plans, ensuring that millions of additional women received effective notice of the bar date.
- Notice expertise cited in ***Cox v. Shell Oil***, 1995 WL 775363, 6 (Tenn. Ch. 1995). Notice evidence cited when collateral attack rejected. ***Hospitality Mgmt. Assoc., Inc. v. Shell Oil Co.***, 591 S.E.2d 611, 621 (S.C., 2004).
- National settlement notice, ***Williams v. Weyerhaeuser Co.***, No. 995787, "Hardboard Siding Litigation" (Cal. Super. Ct.). Notice withstood appellate challenge, 2002 WL 373578, at 10 (Cal. App. 1 Dist.).

### EXPERTS ON STAFF

**Todd B. Hilsee, President** ~ Mr. Hilsee was the first to be recognized in the U.S. and Canada as an expert on the design and adequacy of notice, as a result of his work on ***In re Domestic Air Transp. Litig.***, 141 F.R.D. 534 (N.D. Ga., 1992), the first of many decisions citing his pioneering use of media audience data to quantify the "net reach" of unknown class members. A leading advocate of "noticeable" notices, he was the only notice expert invited to testify before the Advisory Committee on amendments to Fed. R. Civ. Proc. 23, and subsequently collaborated to write and design the illustrative "model" plain language notices for the Federal Judicial Center, available at [www.fjc.gov](http://www.fjc.gov). Hilsee has authored numerous articles on notice & due process including law review and journal articles, e.g., the *Georgetown Journal of Legal Ethics*, and the *Tulane Law Review*. Todd's due process and notice educational materials have been utilized at law schools including: Harvard, Columbia, New York University, Temple and Cleveland-Marshall. As a communications professional, Hilsee spent the majority of his advertising career with Foote, Cone & Belding, the largest U.S. domestic advertising firm, where he was

awarded the American Marketing Association's award for effectiveness. ❖ He received his B.S. in Marketing from the Pennsylvania State University. He can be reached at hilsee@hilsoft.com.

**Barbara A. Coyle, Executive Vice President** ~ With 24 years of media advertising experience, Ms. Coyle specializes in complex media planning and is the leading expert in media efforts requiring global or foreign notification, dissemination among highly targeted, hard-to-reach audiences, and, when necessary, broadcast media. From finding displaced holocaust survivors throughout the world to locating Aboriginal media vehicles in remote areas of Canada, from reaching minority tobacco farmers in hundreds of rural counties to prompting responses from securities class members globally, Ms. Coyle has overcome challenges which attest to her expertise. Her hallmark negotiations in both print and broadcast media have dramatically extended media budgets, affording truly effective reach. ❖ Coyle is a Cum Laude graduate of Temple University, with a B.A. in Journalism, where she received the Carlisle Award for Journalism. She can be reached at bcoyle@hilsoft.com.

**Gina M. Intrepido, Vice President, Media Director** ~ Ms. Intrepido hails from BBDO Worldwide, one of the world's leading advertising agencies, where she devised sophisticated media plans for major accounts such as Gillette, GE, DuPont and HBO. With over 13 years of experience in media research, planning, and buying, Intrepido has designed scores of judicially approved notice plans and is considered the leading reach and frequency expert. Her plans include meticulous analyses and bullet-proof validation of effective reach, including to groups as diverse as displaced Hurricane Katrina victims, New York City's homeless, crawfish farmers from Louisiana's Bayou, and millions of consumer purchasers. Combined with intense negotiating, Intrepido crafts media programs that outperform and cost less than typical plans. Her notice plan critiques have caused competitors to revise their plans to better meet due process obligations. She has authored articles on effective class reach and notice dissemination issues. ❖ Intrepido has a B.A. in Advertising from Penn State University and graduated Summa Cum Laude. She can be reached at gintrepido@hilsoft.com.

**Shannon R. Wheatman Ph.D., Vice President, Notice Director** ~ Dr. Wheatman joined Hilsoft Notifications after serving in the Research Division of the Federal Judicial Center in Washington, DC, where she worked with the Civil Rules Advisory Committee on several class action studies and played an integral part in the development of model notices to satisfy the plain language notice amendment to Rule 23. Dr. Wheatman has tackled the challenge of communicating complex legal content to diverse groups such as, 40 million consumer video renters to 15 million antidepressant purchasers, along with hardboard siding owners to insurance claimants. Her breadth of experience and education qualifies her as a highly trained expert in the field. She has authored numerous articles on class actions and other legal issues. ❖ Wheatman has a Ph.D. in Social Psychology from the University of Georgia and a Masters in Legal Studies from the University of Nebraska-Lincoln. She can be reached at swheatman@hilsoft.com.

**Carla A. Peak, Notice Manger** ~ Ms. Peak oversees creation, production, and appearance of all manner and form of Hilsoft Notifications' notices. She has successfully implemented notice in more than 35 languages involving thousands of media placements and millions of mailings in both national and international markets. She focuses on delivering the highest quality standards of notice production, as well as research into the effectiveness of notification efforts, and ensuring that expert reports are fully and accurately documented. Carla's consumer notification experience includes high profile notifications worldwide. ❖ Peak is a Cum Laude graduate of Temple University in Philadelphia, with a B.A. in Sociology. She can be reached at cpeak@hilsoft.com.

## JUDICIAL COMMENTS

**Judge Lee Rosenthal, Advisory Committee on Civil Rules of the Judicial Conference of the United States** (Jan. 22, 2002), addressing Mr. Hilsee in a public hearing on proposed changes to Rule 23:

*I want to tell you how much we collectively appreciate your working with the Federal Judicial Center to improve the quality of the model notices that they're developing. That's a tremendous contribution and we appreciate that very much...You raised three points that are criteria for good noticing, and I was interested in your thoughts on how the rule itself that we've proposed could better support the creation of those or the insistence on those kinds of notices . . .*

**Judge Marvin Shoob, In re Domestic Air Transp. Antitrust Litig.**, 141 F.R.D. 534, 548 (N.D. Ga. 1992):

*The Court finds Mr. Hilsee's testimony to be credible. Mr. Hilsee's experience is in the advertising industry. It is his job to determine the best way to reach the most people. Mr. Hilsee answered all questions in a forthright and clear manner. Mr. Hilsee performed additional research prior to the evidentiary hearing in response to certain questions that were put to him by*

defendants at his deposition . . . The Court believes that Mr. Hilsee further enhanced his credibility when he deferred responding to the defendant's deposition questions at a time when he did not have the responsive data available and instead utilized the research facilities normally used in his industry to provide the requested information.

**Mr. Justice Cumming, *Wilson v. Servier***, (Sept. 13, 2000) No. 98-CV-158832, "National Fen/Phen Litigation" (Ont. S.C.J):

*[A] class-notification expert, Mr. Todd Hilsee, to provide advice and to design an appropriate class action notice plan for this proceeding. Mr. Hilsee's credentials and expertise are impressive. The defendants accepted him as an expert witness. Mr. Hilsee provided evidence through an extensive report by way of affidavit, upon which he had been cross-examined. His report meets the criteria for admissibility as expert evidence. R. v. Lavallee, [1990] 1 S.C.R. 852.*

**Judge William A. Mayhew, *Nature Guard Cement Roofing Shingles Cases.***, (June 29, 2006) J.C.C.P. No. 4215 (Cal. Super. Ct.):

*The method for dissemination of notice proposed by class counsel and described by the Declaration of Todd Hilsee of Hilsoft Notifications which is attached hereto as Exhibit A, constitute the fairest and best notice practicable under the circumstances of this case, comply with the applicable California Rules of Court, and satisfy due process;*

**Judge Douglas L. Combs, *Morris v. Liberty Mutual Fire Ins. Co.***, (Feb. 22, 2005), No. CJ-03-714 (D. Okla.):

*I want the record also to demonstrate that with regard to notice, although my experience – this Court's experience in class actions is much less than the experience of not only counsel for the plaintiffs, counsel for the defendant, but also the expert witness, Mr. Hilsee, I am very impressed that the notice was able to reach – be delivered to 97 ½ percent members of the class. That, to me, is admirable. And I'm also – at the time that this was initially entered, I was concerned about the ability of notice to be understood by a common, nonlawyer person, when we talk about legalese in a court setting. In this particular notice, not only the summary notice but even the long form of the notice were easily understandable, for somebody who could read the English language, to tell them whether or not they had the opportunity to file a claim.*

**Judge Catherine C. Blake, *In re Royal Ahold Securities and "ERISA" Litig.***, (January 6, 2006) MDL-1539 (D. Md.):

*I think it's remarkable, as I indicated briefly before, given the breadth and scope of the proposed Class, the global nature of the Class, frankly, that again, at least on a preliminary basis, and I will be getting a final report on this, that the Notice Plan that has been proposed seems very well, very well suited, both in terms of its plain language and in terms of its international reach, to do what I hope will be a very thorough and broad-ranging job of reaching as many of the shareholders, whether individual or institutional, as possibly can be done to participate in what I also preliminarily believe to be a fair, adequate and reasonable settlement.*

**Judge John Speroni, *Avery v. State Farm***, (Feb. 25, 1998) No. 97-L-114, "Auto Parts Litigation" (Ill. Cir. Ct. Williamson Co.) (Withstood challenge to Illinois Supreme Court, and the United States Supreme Court denied certiorari on issues including the notice issues):

*[T]his Court having carefully considered all of the submissions, and reviewed their basis, finds Mr. Hilsee's testimony to be credible. Mr. Hilsee carefully and conservatively testified to the reach of the Plaintiffs' proposed Notice Plan, supporting the reach numbers with verifiable data on publication readership, demographics and the effect that overlap of published notice would have on the reach figure . . . This Court's opinion as to Mr. Hilsee's credibility, and the scientific basis of his opinions is bolstered by the findings of other judges that Mr. Hilsee's testimony is credible.*

**Judge Joseph R. Goodwin, *In re Serzone Products Liability Litig.***, (Sept. 2, 2005) MDL 1477, (S.D. W. Va.):

*"The Notice Plan was drafted by Hilsoft Notifications, a Pennsylvania firm specializing in designing, developing, analyzing and implementing large-scale, unbiased legal notification plans. Hilsoft has disseminated class action notices in more than 150 cases, and it designed the model notices currently displayed on the Federal Judicial Center's website as a template for others to follow...To enhance consumer exposure, Hilsoft studied the demographics and readership of publications among adults who used a prescription drug for depression in the last twelve months. Consequently, Hilsoft chose to utilize media particularly targeting women due to their greater incidence of depression and heavy usage of the medication."*

**Judge Michael Maloan, *Cox v. Shell Oil***, (Nov. 17, 1995) No. WL 775363, at \*6, "Polybutylene Pipe Litigation" (Tenn. Ch. Ct.):

*Cox Class Counsel and the notice providers worked with Todd B. Hilsee, an experienced class action notice consultant, to design a class notice program of unprecedented reach, scope, and effectiveness. Mr. Hilsee was accepted by the Court as a qualified class notice expert . . . He testified at the Fairness Hearing, and his affidavit was also considered by the Court, as to the operation and outcome of this program.*

**Judge Marina Corodemus, *Talalai v. Cooper Tire & Rubber Co.***, (Oct. 30, 2001) No. MID-L-8839-00 MT (N.J. Super. Ct. Middlesex Co.):

*The parties have crafted a notice program which satisfies due process requirements without reliance on an unreasonably burdensome direct notification process. The parties have retained Todd Hilsee, president of Hilsoft Notification, who has extensive experience designing similar notice programs...The form of the notice is reasonably calculated to apprise class members of their rights. The notice program is specifically designed to reach a substantial percentage of the putative settlement class members.*

***Currie v. McDonald's Rests. of Canada Ltd.***, 2005 CanLII 3360 (ON C.A.):

*The respondents rely upon the evidence of Todd Hilsee, an individual with experience in developing notice programs for class actions. In Hilsee's opinion, the notice to Canadian members of the plaintiff class in Boland was inadequate . . . In response to Hilsee's evidence, the appellants filed the affidavit of Wayne Pines, who prepared the Boland notice plan . . . I am satisfied that it would be substantially unjust to find that the Canadian members of the putative class in Boland had received adequate notice of the proceedings and of their right to opt out . . . I am not persuaded that we should interfere with the motion judge's findings . . . The right to opt out must be made clear and plain to the non-resident class members and I see no basis upon which to disagree with the motion judge's assessment of the notice. Nor would I interfere with the motion judge's finding that the mode of the notice was inadequate.*

**Judge Jerome E. Lebarre, *Harp v. Qwest Commc'ns***, (June 21, 2002) No. 0110-10986, "Arbitration Litigation" (Ore. Cir. Ct. Multnomah Co.):

*So, this agreement is not calculated to communicate to plaintiffs any offer. And in this regard I accept the expert testimony conclusions of Mr. Todd Hilsee. Plaintiffs submitted an expert affidavit of Mr. Hilsee dated May 23 of this year, and Mr. Hilsee opines that the User Guide was deceptive and that there were many alternatives available to clearly communicate these matters....*

**Judge Dewey C. Whintont, *Ervin v. Movie Gallery, Inc.***, (Nov. 22, 2002) No. 13007 (Tenn. Ch.):

*Based on the evidence submitted and based on the opinions of Todd Hilsee, a well-recognized expert on the distribution of class notices . . . MGA and class counsel have taken substantial and extraordinary efforts to ensure that as many class members as practicable received notice about the settlement. As demonstrated by the affidavit of Todd Hilsee, the effectiveness of the notice campaign and the very high level of penetration to the settlement class were truly remarkable . . .*

*The notice campaign was highly successful and effective, and it more than satisfied the due process and state law requirements for class notice.*

**Judge Fred Biery, *McManus v. Fleetwood Enter., Inc.***, (Sept. 30, 2003) No. SA-99-CA-464-FB, (W.D. Tex.):

*Based upon the uncontroverted showing Class Counsel have submitted to the Court, the Court finds that the settling parties undertook a thorough notice campaign designed by Todd Hilsee of Hilsoft Notifications, a nationally-recognized expert in this specialized field . . . The Court finds and concludes that the Notice Program as designed and implemented provided the best practicable notice to the members of the Class, and satisfied the requirements of due process.*

**Judge Richard G. Stearns, *In re Lupron Marketing and Sales Practice Litig.***, (May 12, 2005) MDL 1430 (D. Mass.):

*With respect to the effectiveness of notice, in the absence of any evidence to the contrary, I accept the testimony of Todd Hilsee that the plan he designed achieved its objective of exposing 80 percent of the members of the consumer class...*

**Mr. Justice Cullity, *Parsons/Currie v. McDonald's Rests. of Can.***, (Jan. 13, 2004) 2004 Carswell Ont. 76, 45 C.P.C. (5<sup>th</sup>) 304, [2004] O.J. No.83:

*I found Mr. Hilsee's criticisms of the notice plan in Boland to be far more convincing than Mr. Pines' attempts during cross-examination and in his affidavit to justify his failure to conduct a reach and frequency analysis of McDonald's Canadian customers. I find it impossible to avoid a conclusion that, to the extent that the notice plan he provided related to Canadian customers, it had not received more than a perfunctory attention from him. The fact that the information provided to the court was inaccurate and misleading and that no attempt was made to advise the court after the circulation error had been discovered might possibly be disregarded if the dissemination of the notice fell within an acceptable range of reasonableness. On the basis of Mr. Hilsee's evidence, as well as the standards applied in class proceedings in this court, I am not able to accept that it did.*

**Judge Catherine C. Blake, *In re Royal Ahold Securities & "ERISA" Litig.***, (June 16, 2006) MDL-1539 (D. Md.):

*In that regard, I would also comment on the notice. The form and scope of the notice in this case, and I'm repeating a little bit what already appeared to me to be evident at the preliminary stage, but the form and scope of the notice has been again remarkable . . . The use of sort of plain language, the targeting of publications and media, the website with the translation into multiple languages, the mailings that have been done, I think you all are to be congratulated, and Mr. Hilsee and Claims Administrator as well.*

**Judge Paul H. Alvarado, *Microsoft I-V Cases***, (July 6, 2004) J.C.C.P. No. 4106 (Cal. Super. Ct., J.C.C.P. No. 4106):

*. . . the Court finds the notice program of the proposed Settlement was extensive and appropriate. It complied with all requirements of California law and due process. Designed by an expert in the field of class notice, Todd B. Hilsee, the notice plan alone was expected to reach at least 80% of the estimated 14.7 million class members. (Hilsee Decl. Ex. 3, ¶28). The Settlement notice plan was ultimately more successful than anticipated and it now appears that over 80% of the class was notified of the Settlement.*



**Judge Marina Corodemus, *Talalai v. Cooper Tire & Rubber Co.*,** (Sept. 13, 2002) No. L-008830.00 (N.J. Super. Ct. Middlesex Co.):

*Here, the comprehensive bilingual, English and Spanish, court-approved Notice Plan provided by the terms of the settlement meets due process requirements. The Notice Plan used a variety of methods to reach potential class members. For example, short form notices for print media were placed...throughout the United States and in major national consumer publications which include the most widely read publications among Cooper Tire owner demographic groups . . . Mr. Hilsee designed the notification plan for the proposed settlement in accordance with this court's Nov. 1, 2001 Order. Mr. Hilsee is the president of Hilsoft Notifications and is well versed in implementing and analyzing the effectiveness of settlement notice plans.*

**Judge Richard J. Shroeder, *St. John v. Am. Home Prods. Corp.*,** (Aug. 2, 1999) No. 97-2-06368-4 (Wash. Super. Ct. Spokane Co.):

*[T]he Court considered the oral argument of counsel together with the documents filed herein, including the Affidavit of Todd B. Hilsee on Notice Plan...The Court finds that plaintiffs' proposed Notice Plan is appropriate and is the best notice practicable under the circumstances by which to apprise absent class members of the pendency of the above-captioned Class Action and their rights respecting that action.*

**Judge Carter Holly, *Richison v. Am. Cemwood Corp.*,** (Nov. 18, 2003) No. 005532 (Cal. Super. Ct. San Joaquin Co.):

*The parties undertook an extensive notice campaign designed by a nationally recognized class action notice expert. See generally, Affidavit of Todd B. Hilsee on Completion of Additional Settlement Notice Plan.*

**Judge James R. Williamson, *Kline v. The Progressive Corp.*,** (Nov. 14, 2002) No. 01-L-6 (Cir. Ct. Ill. Johnson Co.):

*Notice to the Settlement Class was constitutionally adequate, both in terms of its substance and the manner in which it was disseminated. The notice contained the essential elements necessary to satisfy due process . . .*

***Williams v. Weyerhaeuser Co.*,** 2002 WL 373578, at \*10 (Cal. App. 1 Dist.):

*The hybrid notice given here--a combination of individual notice and notice by publication--was, as the trial court found, the best practicable method under the circumstances. The mass media campaign in this case appears to have been far more extensive than that approved in Dunk, supra, 48 Cal.App.4th at pp. 1800, 1805, 56 Cal.Rptr.2d 483. Objectors' own experience indicates the campaign was effective. Three of them received individual notices, two learned of the settlement through advertisements, and the others apparently learned of the settlement when one of them went around the neighborhood and told his neighbors about the settlement.*

**Judge Richard G. Stearns, *In re Lupron® Marketing and Sales Practice Litig.*,** (Nov. 24, 2004) MDL 1430 (D. Mass.):

*After review of the proposed Notice Plan designed by Hilsoft Notifications...is hereby found to be the best practicable notice under the circumstances and, when completed, shall constitute due and sufficient notice of the Settlement and the Fairness Hearing to all persons and entities affected by and/or entitled to participate in the Settlement, in full compliance with the notice requirements of Rule 23 the Federal Rules of Civil Procedure and due process.*

***Hospitality Mgmt. Assoc., Inc. v. Shell Oil Co.*,** 356 S.C. 644, 663, 591 S.E.2d 611, 621 (Sup.Ct.S.C. 2004):

*Clearly, the Cox court designed and utilized various procedural safeguards to guarantee sufficient notice under the circumstances. Pursuant to a limited scope of review, we need go no further in deciding the Cox court's findings that notice met due process are entitled to deference.*

**Judge Stuart R. Pollak, *Microsoft I-V Cases***, (Apr. 1, 2001) J.C.C.P. No. CJC-00-004106 (Cal. Super. Ct. San Francisco Co.):

*[C]oncerning dissemination of class notice; and I have reviewed the materials that have been submitted on that subject and basically I'm satisfied. I think it's amazing if you're really getting 80 percent coverage. That's very reassuring. And the papers that you submitted responded to a couple things that had been mentioned before and I am satisfied with all that.*

**Judge Dudley Bowen, *Andrews/Harper v. MCI***, (Aug. 18, 1995) No. CV 191-185, "900 Number Class Action" (S.D. Ga.):

*Upon consideration of the submissions of counsel and the testimony adduced at the hearing, and upon the findings, observations and conclusions expressed from the bench into the record at the conclusion of the hearing, it is hereby ordered that the aforementioned proposed media plan is approved.*

**Judge Catherine C. Blake, *In re Royal Ahold Securities & "ERISA" Litig.***, (June 16, 2006) MDL-1539 (D. Md.):

*The court hereby finds that the Notice and Notice Plan described herein and in the Order dated January 9, 2006 provided Class Members with the best notice practicable under the circumstances. The Notice provided due and adequate notice of these proceedings and the matters set forth herein, including the Settlement and Plan of Allocation, to all persons entitled to such notice, and the Notice fully satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure and the requirements of due process.*

**Judge Salvatore F. Cozza, *Delay v. Hurd Millwork Co.***, (Sept. 11, 1998) No. 97-2-07371-0 (Wash. Super. Ct. Spokane Co.):

*I'm very impressed by the notice plan which has been put together here. It seems to be very much a state of the art proposal in terms of notifying class members. It appears to clearly be a very good alternative for notification. The target audience seems to be identified very well, and the Court is very satisfied with the choice of media which has been selected to accomplish this.*

**Judge James S. Moody, Jr., *Mantzouris v. Scarritt Motor Group Inc.***, (Aug. 10, 2004) No. 8:03 CV 0015-T-30 MSS (M.D. Fla.):

*Due and adequate notice of the proceedings having been given and a full opportunity having been offered to the members of the Class to participate in the Settlement Hearing, or object to the certification of the Class and the Agreement, it is hereby determined that all members of the Class, except for Ms. Gwendolyn Thompson, who was the sole person opting out of the Settlement Agreement, are bound by this Order and Final Judgment entered herein.*

**Judge Marvin Shoob, *In re Domestic Air Transp. Antitrust Litig.***, 141 F.R.D. 534, 555 (N.D. Ga. 1992):

*The Court is convinced that the innovative notice program designed by plaintiffs not only comports with due process and is sensitive to defendants' res judicata rights, but it is the only notice program suitable for this unique and massive consumer class action.*

**Judge Yada T. Magee, *Spitzfaden v. Dow Corning***, (Mar. 17, 1997) No. 92-2589, "Breast Implant Litigation" (La. Civ. Dist. Ct. Orleans Parish) (The Louisiana Supreme Court upheld the ruling, finding no error):

*Given the definition of this class and the potential size, the efforts taken to notify potential class members was more than sweeping...Accordingly the Court finds that the notice was adequate.*

**Judge Michael J. O'Malley, *Defrates v. Hollywood Entm't Corp.***, (June 24, 2005) No. 02 L 707 (Ill. Cir. Ct. St. Clair Co.):

*. . . this Court hereby finds that the notice program described in the Preliminary Approval Order and completed by HEC complied fully with the requirements of due process, the Federal Rules of Civil Procedure and all other applicable laws.*

**Judge Robert H. Wyatt, Jr., *Gray v. New Hampshire Indemnity Co., Inc.***, (Dec. 19, 2005) No. CV-2002-952-2-3 (Cir. Ct. Ark.):

*Notice of the Settlement Class was constitutionally adequate, both in terms of its substance and the manner in which it was disseminated. The Notice contained the essential elements necessary to satisfy due process, including the Settlement Class definition, the identities of the Parties and of their counsel, a summary of the terms of the proposed settlement, Class Counsel's intent to apply for fees, information regarding the manner in which objections could be submitted, and requests for exclusions could be filed.*

**Judge Carter Holly, *Richison v. Am. Cemwood Corp.***, (Nov. 18, 2003) No. 005532 (Cal. Super. Ct. San Joaquin Co.):

*As to the forms of Notice, the Court finds and concludes that they fully apprised the Class members of the pendency of the litigation, the terms of the Phase 2 Settlement, and Class members' rights and options.*

**Judge Wilford D. Carter, *Thibodeaux v. Conoco Phillips Co.***, (May 26, 2005) No. 2003-481 F (14<sup>th</sup> J.D. Ct. La.):

*Notice given to Class Members...were reasonably calculated under all the circumstances and have been sufficient, both as to the form and content...*

**Judge David Flinn, *Westman v. Rogers Family Funeral Home***, (Mar. 5, 2001) No. C 98-03165 (Cal. Super. Ct. Contra Costa Co.):

*The Court has determined that the Notice given to potential members of the Settlement Class fully and accurately informed potential Members of the Settlement Class of all material elements of the proposed settlement and constituted valid, due and sufficient notice to all potential members of the Settlement Class, and that it constituted the best practicable notice under the circumstances.*

**Judge Stuart R. Pollak, *Microsoft I-V Cases***, (Mar. 30, 2001) J.C.C.P. No. 4106 (Cal. Super. Ct. San Francisco Co.):

*Plaintiffs and Defendant Microsoft Corporation have submitted a joint statement in support of their request that the Court approve the plan for dissemination of class action notice and proposed forms of notice, and amend the class definition. The Court finds that the forms of notice to Class members attached hereto as Exhibits A and B fairly and adequately inform the Class members of their rights concerning this litigation. The Court further finds that the methods for dissemination of notice are the fairest and best practicable under the circumstances, and comport with due process requirements.*

**Judge John R. Padova, *Rosenberg v. Academy Collection Service, Inc.*** (Dec. 19, 2005) No. 04-CV-5585 (E.D. Pa.):

*. . . upon consideration of the Memorandum of Law in Support of Plaintiff's Proposed Class Questionnaire and Certification of Todd Hilsee, it is hereby ORDERED that Plaintiff's form of class letter and questionnaire in the form appended hereto is APPROVED. F.R.Civ.P. 23(c).*

**Judge Bernard Zimmerman, *Ting v. AT&T***, (Jan. 15, 2002) 182 F. Supp. 2d 902, 912-913 (N.D. Cal. 2002) “Arbitration Litigation” (Hilsee had testified on the importance of wording and notice design features):

*The phrase ‘Important Information’ is increasingly associated with junk mail or solicitations . . . From the perspective of affecting a person’s legal rights, the most effective communication is generally one that is direct and specific.*

**Judge Robert E. Payne, *Fisher v. Virginia Electric & Power Co.***, (July 1, 2004) No. 3:02CV431 (E.D. Va.):

*The record here shows that the class members have been fully and fairly notified of the existence of the class action, of the issues in it, of the approaches taken by each side in it in such a way as to inform meaningfully those whose rights are affected and to thereby enable them to exercise their rights intelligently.*

**Judge Robert H. Wyatt, Jr., *Gray v. New Hampshire Indemnity Co., Inc.***, (Dec. 19, 2005) No. CV-2002-952-2-3 (Cir. Ct. Ark.):

*Notice was direct mailed to all Class members whose current whereabouts could be identified by reasonable effort. Notice was also effected by publication in many newspapers and magazines throughout the nation, reaching a large majority of the Class members multiple times. The Court finds that such notice constitutes the best notice practicable.*

**Judge Carter Holly, *Richison v. Am. Cemwood Corp.***, (Nov. 18, 2003) No. 005532 (Cal. Super. Ct. San Joaquin Co.):

*The notice was reasonable and the best notice practicable under the circumstances, was due, adequate, and sufficient notice to all Class members, and complied fully with the laws of the State of California, the Code of Civil Procedure, due process, and California Rules of Court 1859 and 1860.*

***In re Synthroid Marketing Litig.***, 264 F.3d 712, 716 (C.A.7 (Ill.), 2001):

*Although officially in the game, the objectors have not presented any objection to the settlement that was not convincingly addressed by the district court. The objectors contend that the settlement should have been larger, that the notice was not sufficient, and that the release of liabilities is too broad.*

**Judge Harold Baer, Jr., *Thompson v. Metropolitan Life Ins. Co.***, (Sept. 3, 2002) No. 00 Civ. 5071 (HB) (S.D. N.Y.):

*The Court further finds that the Class Notice and Publication Notice provided in the Settlement Agreement are written in plain English and are readily understandable by Class Members. In sum, the Court finds that the proposed notice texts and methodology are reasonable, that they constitute due, adequate and sufficient notice to all persons entitled to be provided with notice, and that they meet the requirements of the Federal Rules of Civil Procedure (including Fed. R. Civ. P. 23(c)(2) and (e)), the United States Constitution (including the Due Process Clause), the Rules of the Court, and any other applicable law.*

**Judge Dewey C. Whitenton, *Ervin v. Movie Gallery, Inc.***, (Nov. 22, 2002) No. 13007 (Tenn. Ch.):

*The content of the class notice also satisfied all due process standards and state law requirements . . . The content of the notice was more than adequate to enable class members to make an informed and intelligent choice about remaining in the class or opting out of the class.*

**Judge Edgar E. Bayley, *Dimitrios v. CVS, Inc.***, No. 99-6209; ***Walker v. Rite Aid Corp.***, No. 99-6210; and ***Myers v. Rite Aid Corp.***, No. 01-2771, (Nov. 27, 2002) (Pa. Ct. C.P. Cumberland Co.):

*The Court specifically finds that: fair and adequate notice has been given to the class, which comports with due process of law.*

**Judge Robert E. Payne, *Fisher v. Virginia Electric & Power Co.*,** (July 1, 2004) No. 3:02CV431 (E.D. Va.):

*The success rate in notifying the class is, I believe, at least in my experience, I share Ms. Kauffman's experience, it is as great as I have ever seen in practicing or serving in this job . . . So I don't believe we could have had any more effective notice.*

**Judge Richard G. Stearns, *In re Lupron Marketing and Sales Practice Litig.*,** (Nov. 23, 2004) MDL 1430 (D. Mass.):

*I actually find the [notice] plan as proposed to be comprehensive and extremely sophisticated and very likely be as comprehensive as any plan of its kind could be in reaching those most directly affected.*

**Judge James D. Arnold, *Cotten v. Ferman Mgmt. Servs. Corp.*,** (Nov. 26, 2003) No. 02-08115 (Fla. Cir. Ct. Hillsborough Co.):

*Due and adequate notice of the proceedings having been given and a full opportunity having been offered to the member of the Class to participate in the Settlement Hearing, or object to the certification of the Class and the Agreement . . .*

**Judge David De Alba, *Ford Explorer Cases*,** (Aug. 19, 2005) JCCP Nos. 4226 & 4270 (Cal. Super. Ct., Sacramento Co.):

*It is ordered that the Notice of Class Action is approved. It is further ordered that the method of notification proposed by Todd B. Hilsee is approved.*

**Judge Judith K. Fitzgerald, *In re Pittsburgh Corning Corp.*,** (Nov. 26, 2003) No. 00-22876-JKF (Bankr. W.D. Pa.):

*The procedures and form of notice for notifying the holders of Asbestos PI Trust Claims, as described in the Motion, adequately protect the interests of the holders of Asbestos PI Trust Claims in a manner consistent with the principles of due process, and satisfy the applicable requirements of the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure.*

**Judge Wilford D. Carter, *Thibodeaux v. Conoco Phillips Co.*,** (May 26, 2005) No. 2003-481 F (14<sup>th</sup> J.D. Ct. La.):

*Such notices complied with all requirements of the federal and state constitutions, including the due process clause, and applicable articles of the Louisiana Code of Civil Procedure, and constituted the best notice practicable under the circumstances and constituted due process and sufficient notice to all potential members of the Class as Defined.*

**Judge Harold Baer, Jr., *Thompson v. Metropolitan Life Ins. Co.*,** 216 F.R.D. 55, 68 (S.D.N.Y. 2003):

*The notice provides, in language easily understandable to a lay person, the essential terms of the settlement, including the claims asserted . . . who would be covered by the settlement . . .*

**Judge Catherine C. Blake, *In re Royal Ahold Securities and "ERISA" Litig.*,** (January 6, 2006) MDL-1539 (D. Md.):

*I do, at least preliminarily, certainly think this is a very extensive and excellent notice program that has been proposed.*

**Judge Thomas A. Higgins, *In re Columbia/HCA Healthcare Corp.*,** (June 13, 2003) No. 3-98-MDL-1227 (M.D. Tenn.):

*Notice of the settlement has been given in an adequate and sufficient manner. The notice provided by mailing the settlement notice to certain class members and publishing notice in the*

*manner described in the settlement was the best practicable notice, complying in all respects with the requirements of due process.*

**Judge Louis J. Farina, *Soders v. General Motors Corp.*** (Oct. 31, 2003) No. CI-00-04255, (Pa. C.P. Lancaster Co.):

*In this instance, Plaintiff has solicited the opinion of a notice expert who has provided the Court with extensive information explaining and supporting the Plaintiff's notice plan...After balancing the factors laid out in Rule 1712(a), I find that Plaintiff's publication method is the method most reasonably calculated to inform the class members of the pending action.*

**Judge Michael Canaday, *Morrow v. Conoco Inc.***, (May 25, 2005) No. 2002-3860 G (14<sup>th</sup> J.D. Ct. La.):

*The objections, if any, made to due process, constitutionality, procedures, and compliance with law, including, but not limited to, the adequacy of notice and the fairness of the proposed Settlement Agreement, lack merit and are hereby overruled.*

**Judge Harold Baer, Jr., *Thompson v. Metropolitan Life Ins. Co.*** 216 F.R.D. 55, 68 (S.D. N.Y. 2003):

*[T]he notice campaign that defendant agreed to undertake was extensive . . . I am satisfied, having reviewed the contents of the notice package, and the extensive steps taken to disseminate notice of the settlement, that the class notice complies with the requirements of Rule 23 (c)(2) and 23(e). In summary, I have reviewed all of the objections, and none persuade me to conclude that the proposed settlement is unfair, inadequate or unreasonable.*

**Judge John Kraetzer, *Baiz v. Mountain View Cemetery***, (Apr. 14, 2004) No. 809869-2 (Cal. Super. Ct. Alameda Co.):

*The notice program was timely completed, complied with California Government Code section 6064, and provided the best practicable notice to all members of the Settlement Class under the circumstances. The Court finds that the notice program provided class members with adequate instructions and a variety of means to obtain information pertaining to their rights and obligations under the settlement so that a full opportunity has been afforded to class members and all other persons wishing to be heard.*

**Judge Harold Baer, Jr., *Thompson v. Metropolitan Life Ins. Co.***, 216 F.R.D. 55, 62 (S.D. N.Y. 2003):

*In view of the extensive notice campaign waged by the defendant, the extremely small number of class members objecting or requesting exclusion from the settlement is a clear sign of strong support for the settlement.*

**Judge John R. Padova, *Nichols v. SmithKline Beecham Corp.***, (Apr. 22, 2005) No. 00-6222 (E.D. Pa.):

*After reviewing the individual mailed Notice, the publication Notices, the PSAs and the informational release, the Court concludes that the substance of the Notice provided to members of the End-Payor Class in this case was adequate to satisfy the concerns of due process and the Federal Rules.*

**Judge John Kraetzer, *Baiz v. Mountain View Cemetery***, (Apr. 14, 2004) No. 809869-2 (Cal. Super. Ct. Alameda Co.):

*The Court has determined that the Notice given to potential members of the Settlement Class fully and accurately informed potential Members of the Settlement Class of all material elements of the proposed settlement and constituted valid, due, and sufficient notice to all potential members of the Settlement Class, and that it constituted the best practicable notice under the circumstances.*

**Judge Carter Holly, *Richison v. Am. Cemwood Corp.***, (Nov. 18, 2003) No. 005532 (Cal. Super. Ct. San Joaquin Co.):

*Not a single Class member—out of an estimated 30,000—objected to the terms of the Phase 2 Settlement Agreement, notwithstanding a comprehensive national Notice campaign, via direct mail and publication Notice.*

**Judge Elaine Bucklo, *In re Synthroid Marketing Litig.***, (Aug. 14, 1998) MDL 1182 (N.D. Ill.) (Ultimately withstood challenge to 7th Circuit Court of Appeals):

*[T]he parties undertook an elaborate notice program...in numerous publications in the United States and abroad which those persons most likely to be class members would read . . . In fact from the affidavits filed, it would appear that notice was designed to reach most of the affected reading public.*

**Judge Joseph R. Goodwin, *In re Serzone Prods. Liability Litig.***, 2004 U.S. Dist. LEXIS 28297, at \*10 (S.D. W. Va.):

*The Court has considered the Notice Plan and proposed forms of Notice and Summary Notice submitted with the Memorandum for Preliminary Approval and finds that the forms and manner of notice proposed by Plaintiffs and approved herein meet the requirements of due process and Fed.R.Civ.P. 23(c) and (e), are the best notice practicable under the circumstances, constitute sufficient notice to all persons entitled to notice, and satisfy the Constitutional requirements of notice.*

**Judge Marina Corodemus, *Talalai v. Cooper Tire & Rubber Co.***, (Oct. 29, 2001) No. L-8830-00 MT (N.J. Super. Ct. Middlesex Co.):

*I saw the various bar graphs for the different publications and the different media dissemination, and I think that was actually the clearest bar graph I've ever seen in my life . . . it was very clear of the time periods that you were doing as to each publication and which media you were doing over what market time, so I think that was very clear.*

**Judge Louis J. Farina, *Soders v. General Motors Corp.***, (Oct. 31, 2003) No. CI-00-04255, (Pa. C.P. Lancaster Co.):

*Plaintiff provided extensive information regarding the reach of their proposed plan. Their notice expert, Todd Hilsee, opined that their plan will reach 84.8% of the class members. Defendant provided the Court with no information regarding the potential reach of their proposed plan . . . There is no doubt that some class members will remain unaware of the litigation, however, on balance, the Plaintiff's plan is likely to reach as many class members as the Defendant's plan at less than half the cost. As such, I approve the Plaintiff's publication based plan.*

**Judge Paul H. Alvarado, *Microsoft I-V Cases***, (July 6, 2004) J.C.C.P. No. 4106 (Cal. Super. Ct., J.C.C.P. No. 4106):

*The notification plans concerning the pendency of this class action were devised by a recognized class notice expert, Todd B. Hilsee. Mr. Hilsee devised two separate class certification notice plans that were estimated to have reached approximately 80% of California PC owners on each occasion.*

**Judge Robert E. Payne, *Fisher v. Virginia Electric & Power Co.***, (Feb. 12, 2004) No. 3:02-CV-431 (E.D. Va.):

*The expert, Todd B. Hilsee, is found to be reliable and credible.*

**Judge Norma L. Shapiro, *First State Orthopaedics et al. v. Concentra, Inc., et al.*, (May 1, 2006) No. 2:05-CV-04951-NS (E.D. Pa.):**

*The Court finds that dissemination of the Mailed Notice, Published Notice and Full Notice in the manner set forth here and in the Settlement Agreement meets the requirements of due process and Pennsylvania law. The Court further finds that the notice is reasonable, and constitutes due, adequate, and sufficient notice to all persons entitled to receive notice, is the best practicable notice; and is reasonably calculated, under the circumstances, to apprise members of the Settlement Class of the pendency of the Lawsuit and of their right to object or to exclude themselves from the proposed settlement.*

**Judge Richard G. Stearns, *In re Lupron® Marketing and Sales Practice Litig.*, (May 12, 2005) MDL 1430 (D. Mass.):**

*I have examined the materials that were used to publicize the settlement, and I agree with Hilsee's opinion that they complied in all respects with the "plain, easily understood language" requirement of Rule 23(c). In sum, I find that the notice given meets the requirements of due process.*

**Judge John R. Padova, *Nichols v. SmithKline Beecham Corp.*, (Apr. 22, 2005) No. 00-CV-6222 (E.D. Pa.):**

*As required by this Court in its Preliminary Approval Order and as described in extensive detail in the Affidavit of Todd B. Hilsee on Design Implementation and Analysis of Settlement Notice Program...Such notice to members of the Class is hereby determined to be fully in compliance with requirements of Fed. R. Civ. P. 23(e) and due process and is found to be the best notice practicable under the circumstances and to constitute due and sufficient notice to all entities entitled thereto.*

**Judge Sarah S. Vance, *In re Babcock & Wilcox Co.*, (Aug. 25, 2000) No. 00-0558 (E.D. La.):**

*Furthermore, the Committee has not rebutted the affidavit of Todd Hilsee, President of Hilsoft Notifications, that the (debtor's notice) plan's reach and frequency methodology is consistent with other asbestos-related notice programs, mass tort bankruptcies, and other significant notice programs...After reviewing debtor's Notice Plan, and the objections raised to it, the Court finds that the plan is reasonably calculated to apprise unknown claimants of their rights and meets the due process requirements set forth in Mullane . . . Accordingly, the Notice Plan is approved.*

**Judge James R. Williamson, *Kline v. The Progressive Corp.*, (November 14, 2002) No. 01-L-6 (Cir. Ct. Ill. Johnson Co.):**

*The Court has reviewed the Affidavit of Todd B. Hilsee, one of the Court-appointed notice administrators, and finds that it is based on sound analysis. Mr. Hilsee has substantial experience designing and evaluating the effectiveness of notice programs.*

**Judge Joseph R. Goodwin, *In re Serzone Products Liability Litig.*, (Sept. 2, 2005) MDL 1477 (S.D. W. Va.):**

*As Mr. Hilsee explained in his supplemental affidavit, the adequacy of notice is measured by whether notice reached Class Members and gave them an opportunity to participate, not by actual participation. (Hilsee Supp. Aff. ¶ 6(c)(v), June 8, 2005)...Not one of the objectors support challenges to the adequacy of notice with any kind of evidence; rather, these objections consist of mere arguments and speculation. I have, nevertheless, addressed the main arguments herein, and I have considered all arguments when evaluating the notice in this matter. Accordingly, after considering the full record of evidence and filings before the court, I FIND that notice in this matter comports with the requirements of Due Process under the Fifth Amendment and Federal Rules of Civil Procedure 23(c)(2) and 23(e).*



**Judge Alfred G. Chiantelli, *Williams v. Weyerhaeuser Co.***, (Dec. 22, 2000) No. 995787, "Hardboard Siding Litigation" (Cal. Super. Ct. San Francisco Co.):

*The Class Notice complied with this Court's Order, was the best practicable notice, and comports with due process . . . Based upon the uncontroverted proof Class Counsel have submitted to the Court, the Court finds that the settling parties undertook an extensive notice campaign designed by Todd Hilsee of Hilsoft Notifications, a nationally recognized expert in this specialized field.*

**Judge John R. Padova, *Nichols v. SmithKline Beecham Corp.***, (Apr. 22, 2005) No. 00-6222 (E.D. Pa.):

*Pursuant to the Order dated October 18, 2004, End-Payor Plaintiffs employed Hilsoft Notifications to design and oversee Notice to the End-Payor Class. Hilsoft Notifications has extensive experience in class action notice situations relating to prescription drugs and cases in which unknown class members need to receive notice.*

**Regional Senior Justice Winkler, *Baxter v. Canada (Attorney General)***, (March 10, 2006) No. 00-CV-192059 CPA (Ont. Super. Ct.):

*The plaintiffs have retained Todd Hilsee, an expert recognized by courts in Canada and the United States in respect of the design of class action notice programs, to design an effective national notice program . . . the English versions of the Notices provided to the court on this motion are themselves plainly worded and appear to be both informative and designed to be readily understood. It is contemplated that the form of notice will be published in English, French and Aboriginal languages, as appropriate for each media vehicle.*

**Judge James T. Genovese, *West v. G&H Seed Co.***, (May 27, 2003) No. 99-C-4984-A (La. Jud. Dist. Ct. St. Landry Parish):

*The court finds that, considering the testimony of Mr. Hilsee, the nature of this particular case, and the certifications that this court rendered in its original judgment which have been affirmed by the – for the most part, affirmed by the appellate courts, the court finds Mr. Hilsee to be quite knowledgeable in his field and certainly familiar with these types of cases...the notice has to be one that is practicable under the circumstances. The notice provided and prepared by Mr. Hilsee accomplishes that purpose . . .*

**Judge Milton Gunn Shuffield, *Scott v. Blockbuster Inc.***, (Jan. 22, 2002) No. D 162-535 (Tex. Jud. Dist. Ct. Jefferson Co.) (Ultimately withstood challenge to Court of Appeals of Texas. *Peters v. Blockbuster* 65 S.W.3d 295, 307 (Tex. App.-Beaumont, 2001):

*In order to maximize the efficiency of the notice, a professional concern, Hilsoft Notifications, was retained. Todd Hilsee of that firm prepared and oversaw the notification plan. The record reflects that Mr. Hilsee is very experienced in the area of notification in class action settlements...This Court concludes that the notice campaign was the best practicable, reasonably calculated, under all the circumstances, to apprise interested parties of the settlement and afford them an opportunity to present their objections . . . The notice campaign was highly successful and effective, and it more than satisfied the due process and state law requirements for class notice.*

**Judge Susan Illston** (N.D. Cal.), on Hilsoft Notifications presentation at the ABA's 7<sup>th</sup> Annual National Institute on Class Actions, Oct. 24, 2003, San Francisco, Cal.:

*The notice program that was proposed here today, I mean, it's breathtaking. That someone should have thought that clearly about how an effective notice would get out. I've never seen anything like that proposed in practice . . . I thought the program was excellent. The techniques available for giving a notification is something that everyone should know about.*

## OTHER COMMENTS

**Geoffrey P. Miller, Max Greenberg Professor at Law, NYU**, testified at the ***Scott v. Blockbuster*** Fairness Hearing on Dec. 10-11, 2001, before Judge Milton Shuffield:

*I really have never seen in the many years I've been looking at class actions, a notice campaign in a consumer case that was done with this much care and this much real forethought and imagination. It's very difficult to reach 40 million people, and I can't imagine doing a better job than as what was done in this case.*

**Arthur R. Miller, Bruce Bromley Professor of Law, Harvard Law School**, in a letter addressed to Mr. Hilsee dated June 2, 2004:

*I read your piece on Mullane with great interest and am delighted to learn the details. Indeed, I will probably incorporate some of it in my teaching next fall. I think your analysis is rock solid.*

## PUBLICATIONS

Todd B. Hilsee, Gina M. Intrepido, & Shannon R. Wheatman, *Hurricanes, Mobility and Due Process: The "Desire-to-Inform" Requirement for Effective Class Action Notice Is Highlighted by Katrina*, 80 TULANE L. REV. 1771 (2006).

Thomas E. Willging & Shannon R. Wheatman, *Attorney Choice of Forum in Class Action Litigation: What Difference Does it Make?* 81 NOTRE DAME L. REV. 591-654 (January 2006).

Gina M. Intrepido, *Notice experts may help resolve CAFA removal issues, Notification to Officials*, 6 CLASS ACTION LITIG. REP. 759 (2005).

Todd B. Hilsee, Shannon R. Wheatman & Gina M. Intrepido, *Do You Really Want Me to Know My Rights? The Ethics Behind Due Process in Class Action Notice Is More Than Just Plain Language: A Desire to Actually Inform*, 18 GEO. J. LEGAL ETHICS 1359 (Fall 2005).

Thomas E. Willging & Shannon R. Wheatman, *An Empirical Examination of Attorneys' Choice of Forum in Class Action Litigation*, FEDERAL JUDICIAL CENTER (2005).

Robert T. Reagan, Shannon R. Wheatman, Marie Leary, Natascha Blain, George Cort, & Dean N. Milelich, *Sealed Settlement Agreements in Federal District Courts*. FEDERAL JUDICIAL CENTER (2005).

Todd B. Hilsee, *Notice Provisions in S. 1751 Raise Significant Communications Problems*, 5 CLASS ACTION LITIG. REP. 30 (2004).

Todd B. Hilsee, *Plain Language is Not Enough*, Federal Trade Commission, Protecting Consumer Interests in Class Actions (2004).

Todd B. Hilsee & Terri R. LeClercq, *The Federal Judicial Center's Model Plain Language Class Action Notices: A New Tool for Practitioners and the Judiciary*, 5 CLASS ACTION LITIG. REP. 182 (2003).

Todd B. Hilsee, *So you think your notice program is acceptable? Beware: it may be rejected*, in CLASS ACTIONS (American Bar Association, 2003).

Todd B. Hilsee, *Class Action Notice*, in CALIFORNIA CLASS ACTIONS PRACTICE AND PROCEDURE, 8-1 (Elizabeth Cabraser ed., 2003).

Todd B. Hilsee & Terri R. LeClercq, *Creating the Federal Judicial Center's New Illustrative "Model" Plain Language Class Action Notices*, 13 CLASS ACTIONS & DERIVATIVE SUITS 10-13 (Spring 2003).

David Romine & Todd Hilsee, *"It Ain't Over 'Til It's Over" – Class Actions Against Microsoft*, 12 CLASS ACTIONS & DERIVATIVE SUITS 2-8 (Winter 2002).

Todd B. Hilsee, *Class Action Notice – How, Why, When and Where the Due Process Rubber Meets the Road*, 3<sup>rd</sup> Annual Class Action/Mass Tort Symposium (2002).

Todd B. Hilsee, *A Communications Analysis of the Third Circuit Ruling in MDL 1014: Guidance on the Adequacy of Notice*, 2 CLASS ACTION LITIG. REP. 712 (2001).

Shannon R. Wheatman & David R. Shaffer, *On finding for defendants who plead insanity: The crucial impact of dispositional instructions and opportunity to deliberate*, 25 LAW AND HUMAN BEHAVIOR 165 (2001).

Shannon Wheatman, *The Effects of Plain Language Drafting on Layperson's Comprehension of Class Action Notices* (2001) (unpublished Ph.D. dissertation, University of Georgia, on file with the University of Georgia Library).

David R. Shaffer & Shannon R. Wheatman, *Does personality influence the effectiveness of judicial instructions?* 6 *PSYCH. PUB. POL'Y & LAW* 655 (2000).

Todd B. Hilsee, *Off of the Back Pages: The Evolution of Class Action Notice: An Analysis of Notice in Mullane v. Central Hanover Trust more than 50 years later*, Mealey's Judges & Lawyers in Complex Litigation Conference (1999).

Todd B. Hilsee, *Class Action Notice to Diet-Drug Takers: A Scientific Approach*, FEN-PHEN LITIG. STRATEGIST (1999).

Sidney Rosen & Shannon Wheatman, *Reactions to the fate of one's brain-child after its disclosure*. 17 *CURRENT PSYCH.* 135 (1997).

Todd B. Hilsee, *Class Action: The Role of the Media Expert*, ASBESTOS LITIG. REP. 33279 (1995).

### PANELS, SPEAKING AND EDUCATION

*"Do You Really Want Me to Know My Rights?* Educational DVD created and utilized at: COLUMBIA LAW SCHOOL, 2005; NEW YORK UNIVERSITY SCHOOL OF LAW, 2005; TEMPLE LAW SCHOOL, 2006; CLEVELAND-MARSHALL COLLEGE OF LAW, 2006.

*"How to Construct Effective Notice Campaigns to Best Protect Class Action Settlements"*, Lecture at: CLEVELAND-MARSHALL COLLEGE OF LAW, March 28, 2006, (Guest Lecturer: Todd B. Hilsee).

*Superior Court of California, County of Los Angeles: Judges Roundtable*, CENTRAL CIVIL WEST COURT HOUSE, March 21, 2006, (speaker: Todd B. Hilsee).

*"Do You Really Want Me to Know My Rights? The 'Ethics' Behind Due Process in Class Action Notice Is More Than Just Plain Language: A Desire to Actually Inform"*, NATIONAL ASSOCIATION OF SHAREHOLDER AND CONSUMER ATTORNEYS (NASCAT), Spring Meeting, 2005 (speaker: Todd B. Hilsee).

*"Will the Settlement Survive Notice and Associated Due Process Concerns?"* LOUISIANA BAR ASSOCIATION, 5<sup>th</sup> Annual Class Action / Mass Tort Symposium, 2004 (speaker: Todd B. Hilsee).

*"Let's Talk – The Ethical and Practical Issues of Communicating with Members of a Class"*, AMERICAN BAR ASSOCIATION, 8<sup>th</sup> Annual National Institute on Class Actions, 2004 (speaker: Todd B. Hilsee).

*"Clear Notices, Claims Administration and Market Makers,"* FEDERAL TRADE COMMISSION, Protecting Consumer interests in Class Action Workshop, 2004 (speaker: Todd B. Hilsee).

*"I've Noticed You've Settled – Or Have You,"* AMERICAN BAR ASSOCIATION, 7<sup>th</sup> Annual National Institute on Class Actions, 2003 (speaker: Todd B. Hilsee).

*"Class Action Notice – How, Why, When And Where the Due Process Rubber Meets The Road,"* LOUISIANA BAR ASSOCIATION, 3<sup>rd</sup> Annual Class Action / Mass Tort Symposium, 2002 (speaker: Todd B. Hilsee).

*"Plain English Notices called for in Aug., 2001 proposed amendments to Rule 23,"* ADVISORY COMMITTEE ON CIVIL RULES OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, Hearing on Rule 23, 2002 (witness: Todd B. Hilsee).

*"Generation X on Trial,"* AMERICAN BAR ASSOCIATION, Section of Litigation Annual Meeting, 2001 (speaker: Todd B. Hilsee).

*"Tires, Technology and Telecommunications,"* Class Action and Derivative Suits Committee, AMERICAN BAR ASSOCIATION, Section of Litigation Annual Meeting, 2001 (speaker: Todd B. Hilsee).

*"Class Actions,"* MEALEY'S Judges and Lawyers in Complex Litigation Conference, 1999 (speaker: Todd B. Hilsee).

## LEGAL NOTICE CASES

Todd B. Hilsee and Hilsoft Notifications have served as notice experts for planning, implementation and/or analysis in the following partial listing of cases:

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| <i>In re Domestic Air Transp. Antitrust Litig.</i>                       | N.D. Ga., MDL No. 861           |
| <i>In re Bolar Pharm. Generic Drugs Consumer Litig.</i>                  | E.D. Pa., MDL No. 849           |
| <i>In re Steel Drums Antitrust Litig.</i>                                | S.D. Ohio, C-1-91-208           |
| <i>In re Steel Pails Antitrust Litig.</i>                                | S.D. Ohio, C-1-91-213           |
| <i>In re GM Truck Fuel Tank Prods. Liability Litig.</i>                  | E.D. Pa., MDL No. 1112          |
| <i>In re Estate of Ferdinand Marcos (Human Rights Litig.)</i>            | D. Hawaii, MDL No. 840          |
| <i>Andrews v. MCI (900 Number Litig.)</i>                                | S.D. Ga., CV 191-175            |
| <i>Harper v. MCI (900 Number Litig.)</i>                                 | S.D. Ga., CV 192-134            |
| <i>Kellerman v. MCI Telecomms. Corp (Long Distance Telephone Litig.)</i> | Cir. Ct. Ill., 82 CH 11065      |
| <i>In re Bausch &amp; Lomb Contact Lens Litig.</i>                       | N.D. Ala., 94-C-1144-WW         |
| <i>In re Ford Motor Co. Vehicle Paint Litig.</i>                         | E.D. La., 95-0485, MDL No. 1063 |
| <i>Castano v. Am. Tobacco</i>  | E.D. La., CV 94-1044            |
| <i>Cox v. Shell Oil (Polybutylene Pipe Litig.)</i>                       | Tenn. Ch., 18,844               |
| <i>Fry v. Hoerchst Celanese (Polybutylene Pipe Litig.)</i>               | Cir. Ct. Fla., 95-6414 CA11     |
| <i>Meers v. Shell Oil (Polybutylene Pipe Litig.)</i>                     | Cal. Super. Ct., M30590         |
| <i>In re Amino Acid Lysine Antitrust Litig.</i>                          | N.D. Ill., MDL No. 1083         |
| <i>In re Dow Corning Corp. (Breast Implant Bankruptcy)</i>               | E.D. Mich., 95-20512-11-AJS     |
| <i>Kunhel v. CNA Ins. Companies</i>                                      | N.J. Super. Ct., ATL-C-0184-94  |
| <i>In re Factor Concentrate Blood Prods. Litig. (Hemophiliac HIV)</i>    | N.D. Ill., MDL No. 986          |
| <i>In re Ford Ignition Switch Prods. Liability Litig.</i>                | D. N.J., 96-CV-3125             |
| <i>Jordan v. A.A. Friedman (Non-Filing Ins. Litig.)</i>                  | M.D. Ga., 95-52-COL             |
| <i>Kalhammer v. First USA (Credit Card Litig.)</i>                       | Cir. Ct. Cal., C96-45632010-CAL |
| <i>Navarro-Rice v. First USA (Credit Card Litig.)</i>                    | Cir. Ct. Ore., 9709-06901       |
| <i>Spitzfaden v. Dow Corning (Breast Implant Litig.)</i>                 | La. Civ. Dist. Ct., 92-2589     |
| <i>Robinson v. Marine Midland (Finance Charge Litig.)</i>                | N.D. Ill., 95 C 5635            |
| <i>McCurdy v. Norwest Fin. Alabama</i>                                   | Cir. Ct. Ala., CV-95-2601       |
| <i>Johnson v. Norwest Fin. Alabama</i>                                   | Cir. Ct. Ala., CV-93-PT-962-S   |
| <i>In re Residential Doors Antitrust Litig.</i>                          | E.D. Pa., MDL No. 1039          |
| <i>Barnes v. Am. Tobacco Co. Inc.</i>                                    | E.D. Pa., 96-5903               |
| <i>Small v. Lorillard Tobacco Co. Inc.</i>                               | N.Y. Super. Ct., 110949/96      |
| <i>Naef v. Masonite Corp (Hardboard Siding Litig.)</i>                   | Cir. Ct. Ala., CV-94-4033       |

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| <i>In re Synthroid Mktg. Litig.</i>   | N.D. Ill., MDL No. 1182                                   |
| <i>Chisolm v. Transouth Fin.</i>  | 4 <sup>th</sup> Cir., 97-1970                             |
| <i>Raysick v. Quaker State Slick 50 Inc.</i>  | Dist. Tex., 96-12610                                      |
| <i>Castillo v. Mike Tyson (Tyson v. Holyfield Bout)</i>                                     | N.Y. Super. Ct., 114044/97                                |
| <i>Avery v. State Farm Auto. Ins. (Non-OEM Auto Parts Litig.)</i>                           | Cir. Ct. Ill., 97-L-114                                   |
| <i>Walls v. The Am. Tobacco Co. Inc.</i>  | N.D. Okla., 97-CV-218-H                                   |
| <i>Tempest v. Rainforest Café (Securities Litig.)</i>                                       | D. Minn., 98-CV-608                                       |
| <i>Stewart v. Avon Prods. (Securities Litig.)</i>   | E.D. Pa., 98-CV-4135                                      |
| <i>Goldenberg v. Marriott PLC Corp (Securities Litig.)</i>                                  | D. Md., PJM 95-3461                                       |
| <i>Delay v. Hurd Millwork (Building Products Litig.)</i>                                    | Wash. Super. Ct., 97-2-07371-0                            |
| <i>Gutterman v. Am. Airlines (Frequent Flyer Litig.)</i>                                    | Cir. Ct. Ill., 95CH982                                    |
| <i>Hoeffner v. The Estate of Alan Kenneth Vieira (Un-scattered Cremated Remains Litig.)</i> | Cal. Super. Ct., 97-AS 02993                              |
| <i>In re Graphite Electrodes Antitrust Litig.</i>   | E.D. Pa., 97-CV-4182, MDL No. 1244                        |
| <i>In re Silicone Gel Breast Implant Prods. Liability Litig., Altrichter v. INAMED</i>      | N.D. Ala., MDL No. 926                                    |
| <i>St. John v. Am. Home Prods. Corp. (Fen/Phen Litig.)</i>                                  | Wash. Super. Ct., 97-2-06368                              |
| <i>Crane v. Hackett Assocs. (Securities Litig.)</i>   | E.D. Pa., 98-5504   |
| <i>In re Holocaust Victims Assets Litig. (Swiss Banks Litig.)</i>                           | E.D.N.Y., CV-96-4849                                      |
| <i>McCall v. John Hancock (Settlement Death Benefits)</i>                                   | Cir. Ct. N.M., No. CV-2000-2818                           |
| <i>Williams v. Weyerhaeuser Co. (Hardboard Siding Litig.)</i>                               | Cal. Super. Ct., CV-995787                                |
| <i>Kapustin v. YBM Magnex Int'l Inc. (Securities Litig.)</i>                                | E.D. Pa., 98-CV-6599                                      |
| <i>Leff v. YBM Magnex Int'l Inc. (Securities Litig.)</i>                                    | E.D. Pa., 95-CV-89  |
| <i>Crawley v. Chrysler Corp. (Airbag Litig.)</i>  | Pa. C.P., CV-4900   |
| <i>In re PRK/LASIK Consumer Litig.</i>  | Cal. Super. Ct., CV-772894                                |
| <i>Hill v. Galaxy Cablevision</i>   | N.D. Miss., 1:98CV51-D-D                                  |
| <i>Scott v. Am. Tobacco Co. Inc.</i>  | La. Civ. Dist. Ct., 96-8461                               |
| <i>Jacobs v. Winthrop Fin. Assocs. (Securities Litig.)</i>                                  | D. Mass., 99-CV-11363                                     |
| <i>Int'l Comm'n on Holocaust Era Ins. Claims – Worldwide Outreach Program</i>               | Former Secretary of State Lawrence Eagleburger Commission |
| <i>Bownes v. First USA Bank (Credit Card Litig.)</i>  | Cir. Ct. Ala., CV-99-2479-PR                              |
| <i>Whetman v. IKON (ERISA Litig.)</i>   | E.D. Pa., Civil No. 00-87                                 |
| <i>Mangone v. First USA Bank (Credit Card Litig.)</i>                                       | Cir. Ct. Ill., 99AR672a                                   |
| <i>In re Babcock and Wilcox Co. (Asbestos Related Bankruptcy)</i>                           | E.D. La., 00-10992  |
| <i>Barbanti v. W.R. Grace and Co. (Zonolite / Asbestos Litig.)</i>                          | Wash. Super. Ct., 00201756-6                              |
| <i>Brown v. Am. Tobacco</i>   | Cal. Super. Ct., J.C.C.P. 4042 No. 711400                 |
| <i>Wilson v. Servier Canada Inc. (Canadian Fen/Phen Litig.)</i>                             | Ont. Super. Ct., 98-CV-158832                             |

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| <b><i>Paul and Strode v. Country Mutual Ins. Co. (Non-OEM Auto Parts Litig.)</i></b>            | Cir. Ct. Ill., 99-L-995  |
| <b><i>In re Texaco Inc. (Bankruptcy)</i></b>  | S.D. N.Y. Nos. 87 B 20142, 87 B 20143, 87 B 20144.             |
| <b><i>Olinde v. Texaco (Bankruptcy, Oil Lease Litig.)</i></b>                                   | M.D. La., No. 96-390   |
| <b><i>Gustafson v. Bridgestone/Firestone, Inc. (Recall Related Litig.)</i></b>                  | S.D. Ill., Civil No. 00-612-DRH                                |
| <b><i>In re Bridgestone/Firestone Tires Prods. Liability Litig.</i></b>                         | S.D. Ind., MDL No. 1373  |
| <b><i>Gaynoe v. First Union Corp. (Credit Card Litig.)</i></b>                                  | N.C. Super. Ct., No. 97-CVS-16536                              |
| <b><i>Carson v. Daimler Chrysler Corp. (Fuel O-Rings Litig.)</i></b>                            | W.D. Tenn., No. 99-2896 TU A                                   |
| <b><i>Providian Credit Card Cases</i></b>   | Cal. Super. Ct., J.C.C.P. No. 4085                             |
| <b><i>Fields v. Great Spring Waters of Am., Inc. (Bottled Water Litig.)</i></b>                 | Cal. Super. Ct., No. 302774                                    |
| <b><i>Sanders v. Great Spring Waters of Am., Inc. (Bottled Water Litig.)</i></b>                | Cal. Super. Ct., No. 303549                                    |
| <b><i>Sims v. Allstate Ins. Co. (Diminished Auto Value Litig.)</i></b>                          | Cir. Ct. Ill., No. 99-L-393A                                   |
| <b><i>Peterson v. State Farm Mutual Auto. Ins. Co. (Diminished Auto Value Litig.)</i></b>       | Cir. Ct. Ill., No. 99-L-394A                                   |
| <b><i>Microsoft I-V Cases (Antitrust Litig. Mirroring Justice Dept.)</i></b>                    | Cal. Super. Ct., J.C.C.P. No. 4106                             |
| <b><i>Westman v. Rogers Family Funeral Home, Inc. (Remains Handling Litig.)</i></b>             | Cal. Super. Ct., No. C-98-03165                                |
| <b><i>Rogers v. Clark Equipment Co.</i></b>   | Cir. Ct. Ill., No. 97-L-20                                     |
| <b><i>Garrett v. Hurley State Bank (Credit Card Litig.)</i></b>                                 | Cir. Ct. Miss., No. 99-0337                                    |
| <b><i>Ragoonanan v. Imperial Tobacco Ltd. (Firesafe Cigarette Litig.)</i></b>                   | Ont. Super. Ct., No. 00-CV-183165 CP                           |
| <b><i>Dietschi v. Am. Home Prods. Corp. (PPA Litig.)</i></b>                                    | W.D. Wash., No. C01-0306L                                      |
| <b><i>Dimitrios v. CVS, Inc. (PA Act 6 Litig.)</i></b>  | Pa. C.P., No. 99-6209  |
| <b><i>Jones v. Hewlett-Packard Co. (Inkjet Cartridge Litig.)</i></b>                            | Cal. Super. Ct., No. 302887                                    |
| <b><i>In re Tobacco Cases II (California Tobacco Litig.)</i></b>                                | Cal. Super. Ct., J.C.C.P. No. 4042                             |
| <b><i>Scott v. Blockbuster, Inc (Extended Viewing Fees Litig.)</i></b>                          | 136 <sup>th</sup> Tex. Jud. Dist. Jefferson Co., No. D 162-535 |
| <b><i>Anesthesia Care Assocs. v. Blue Cross of Cal.</i></b>                                     | Cal. Super. Ct., No. 986677                                    |
| <b><i>Ting v. AT&amp;T (Mandatory Arbitration Litig.)</i></b>                                   | N.D. Cal., No. C-01-2969-BZ                                    |
| <b><i>In re W.R. Grace &amp; Co. (Asbestos Related Bankruptcy)</i></b>                          | Bankr. D. Del., No. 01-01139-JJF                               |
| <b><i>Talalai v. Cooper Tire &amp; Rubber Co. (Tire Layer Adhesion Litig.)</i></b>              | N.J. Super. Ct., Middlesex County, No. MID-L-8839-00 MT        |
| <b><i>Kent v. Daimler Chrysler Corp. (Jeep Grand Cherokee Park-to-Reverse Litig.)</i></b>       | N.D. Cal., No. C01-3293-JCS                                    |
| <b><i>Int'l Org. of Migration – German Forced Labour Compensation Programme</i></b>             | Geneva, Switzerland  |
| <b><i>Madsen v. Prudential Federal Savings &amp; Loan (Homeowner's Loan Account Litig.)</i></b> | 3 <sup>rd</sup> Jud. Dist. Ct. Utah, No. C79-8404              |
| <b><i>Bryant v. Wyndham Int'l., Inc. (Energy Surcharge Litig.)</i></b>                          | Cal. Super. Ct., Nos. GIC 765441, GIC 777547 (Consolidated)    |

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| <b><i>In re USG Corp. (Asbestos Related Bankruptcy)</i></b>  | Bankr. D. Del., No. 01-02094-RJN                       |
| <b><i>Thompson v. Metropolitan Life Ins. Co. (Race Related Sales Practices Litig.)</i></b>   | S.D. N.Y., No. 00-CIV-5071 HB                          |
| <b><i>Ervin v. Movie Gallery Inc. (Extended Viewing Fees)</i></b>  | Tenn. Ch. Fayette Co., No. CV-13007                    |
| <b><i>Peters v. First Union Direct Bank (Credit Card Litig.)</i></b>   | M.D. Fla., No. 8:01-CV-958-T-26 TBM                    |
| <b><i>National Socialist Era Compensation Fund</i></b>   | Republic of Austria                                    |
| <b><i>In re Baycol Litig.</i></b>  | D. Minn., MDL No. 1431                                 |
| <b><i>Claims Conference–Jewish Slave Labour Outreach Program</i></b>   | German Government Initiative                           |
| <b><i>Wells v. Chevy Chase Bank (Credit Card Litig.)</i></b>   | Cir. Ct. Md. Balt. City, No. C-99-000202               |
| <b><i>Walker v. Rite Aid of PA, Inc. (PA Act 6 Litig.)</i></b>   | C.P. Pa., No. 99-6210                                  |
| <b><i>Myers v. Rite Aid of PA, Inc. (PA Act 6 Litig.)</i></b>  | C.P. Pa., No. 01-2771                                  |
| <b><i>In re PA Diet Drugs Litig.</i></b>   | C.P. Pa. Phila. Co., No. 9709-3162                     |
| <b><i>Harp v. Qwest Communications (Mandatory Arbitration Litig.)</i></b>  | Circ. Ct. Ore., No. 0110-10986                         |
| <b><i>Tuck v. Whirlpool Corp. &amp; Sears, Roebuck &amp; Co. (Microwave Recall Litig.)</i></b>   | Cir. Ct. Ind. Marion Co., No. 49C01-0111-CP-002701     |
| <b><i>Allison v. AT&amp;T Corp. (Mandatory Arbitration Litig.)</i></b>   | 1 <sup>st</sup> Jud. D.C. N.M., No. D-0101-CV-20020041 |
| <b><i>Kline v. The Progressive Corp.</i></b>   | Cir. Ct. Ill. Johnson Co., No. 01-L-6                  |
| <b><i>Baker v. Jewel Food Stores, Inc. &amp; Dominick's Finer Foods, Inc. (Milk Price Fixing)</i></b>                                    | Cir. Ct. Ill. Cook Co., No. 00-L-9664                  |
| <b><i>In re Columbia/HCA Healthcare Corp. (Billing Practices Litig.)</i></b>   | M.D. Tenn., MDL No. 1227                               |
| <b><i>Foultz v. Erie Ins. Exchange (Auto Parts Litig.)</i></b>   | C.P. Pa., No. 000203053                                |
| <b><i>Soders v. General Motors Corp. (Marketing Initiative Litigation)</i></b>   | C.P. Pa., No. CI-00-04255                              |
| <b><i>Nature Guard Cement Roofing Shingles Cases</i></b>   | Cal. Super. Ct., J.C.C.P. No. 4215                     |
| <b><i>Curtis v. Hollywood Entm't Corp. (Additional Rental Charges)</i></b>   | Wash. Super. Ct., No. 01-2-36007-8 SEA                 |
| <b><i>Defrates v. Hollywood Entm't Corp.</i></b>   | Cir. Ct. Ill. St. Clair. Co., No. 02L707               |
| <b><i>Pease v. Jasper Wyman &amp; Son, Merrill Blueberry Farms Inc., Allen's Blueberry Freezer Inc. &amp; Cherryfield Foods Inc.</i></b> | Me. Super. Ct., No. CV-00-015                          |
| <b><i>West v. G&amp;H Seed Co. (Crawfish Farmers Litig.)</i></b>   | 27 <sup>th</sup> Jud. D. Ct. La., No. 99-C-4984-A      |
| <b><i>Linn v. Roto-Rooter Inc. (Miscellaneous Supplies Charge)</i></b>   | C.P. Ohio, No. CV-467403                               |
| <b><i>McManus v. Fleetwood Enter., Inc. (RV Brake Litigation)</i></b>  | D. Ct. Tex., No. SA-99-CA-464-FB                       |
| <b><i>Baiz v. Mountain View Cemetery (Burial Practices)</i></b>  | Cal. Super. Ct., No. 809869-2                          |
| <b><i>Stetser v. TAP Pharm. Prods, Inc. &amp; Abbott Laboratories (Lupron Price Litigation)</i></b>                                      | N.C. Super. Ct., No. 01-CVS-5268                       |
| <b><i>Richison v. Am. Cemwood Corp. (Roofing Durability Settlement)</i></b>  | Cal. Super. Ct., No. 005532                            |
| <b><i>Cotten v. Ferman Mgmt. Servs. Corp.</i></b>  | 13 <sup>th</sup> Jud. Cir. Fla., No. 02-08115          |
| <b><i>In re Pittsburgh Corning Corp. (Asbestos Related Bankruptcy)</i></b>   | Bankr. W.D. Pa., No. 00-22876-JKF                      |

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| <b>Mostajo v. Coast Nat'l Ins. Co.</b>  | Cal. Super. Ct., No. 00 CC 15165   |
| <b>Friedman v. Microsoft Corp. (Antitrust Litigation)</b>   | Ariz. Super. Ct., No. CV 2000-000722                                       |
| <b>Multinational Outreach - East Germany Property Claims</b>  | Claims Conference  |
| <b>Davis v. Am. Home Prods. Corp. (Norplant Contraceptive Litigation)</b>                                     | Civ. D. Ct. La., Div. K, No. 94-11684                                      |
| <b>Walker v. Tap Pharmaceutical Prods., Inc. (Lupron Price Litigation)</b>                                    | N.J. Super. Ct., No. CV CPM-L-682-01                                       |
| <b>Munsey v. Cox Communications (Late Fee Litigation)</b>   | D. Ct., La., Div. E, Sec. 9, No. 97 19571                                  |
| <b>Gordon v. Microsoft Corp. (Antitrust Litigation)</b>   | 4th Jud. D. Ct. Minn., No. 00-5994   |
| <b>Clark v. Tap Pharmaceutical Prods., Inc.</b>   | 5 <sup>th</sup> Dist. App. Ct. Ill., No. 5-02-0316                         |
| <b>Fisher v. Virginia Electric &amp; Power Co.</b>  | E.D. Va., No 3:02-CV-431   |
| <b>Mantzouris v. Scarritt Motor Group, Inc.</b>   | M.D. Fla., No. 8:03-CV-0015-T-30-MSS                                       |
| <b>Johnson v. Ethicon, Inc. (Product Liability Litigation)</b>  | Cir. Ct. W. Va. Kanawha Co., Nos. 01-C-1530, 1531, 1533, 01-C-2491 to 2500 |
| <b>Schlink v. Edina Realty Title</b>  | 4 <sup>th</sup> Jud. D. Ct. Minn., No. 02-018380                           |
| <b>Tawney v. Columbia Natural Res. (Oil &amp; Gas Lease Litigation)</b>                                       | Cir. Ct. W. Va. Roane Co., No. 03-C-10E                                    |
| <b>White v. Washington Mutual, Inc. (Pre-Payment Penalty Litigation)</b>                                      | 4 <sup>th</sup> Jud. D. Ct. Minn., No. CT 03-1282                          |
| <b>Acacia Media Techs. Corp. v. Cybernet Ventures Inc, (Patent Infringement Litigation)</b>                   | C.D. Cal., SACV03-1803 GLT (Anx)   |
| <b>Bardessono v. Ford Motor Co. (15 Passenger Vans)</b>   | Wash. Super. Ct., No. 32494  |
| <b>Gardner v. Stimson Lumber Co. (Forestex Siding Litigation)</b>   | Wash. Super. Ct., No. 00-2-17633-3SEA                                      |
| <b>Poor v. Sprint Corp. (Fiber Optic Cable Litigation)</b>  | Cir. Ct. Ill. Madison Co., 99-L-421  |
| <b>Thibodeau v. Comcast Corp.</b>   | E.D. Pa., No. 04-CV-1777   |
| <b>Cazenave v. Sheriff Charles C. Foti (Strip Search Litigation)</b>  | E.D. La., No. 00-CV-1246   |
| <b>National Assoc. of Police Orgs., Inc. v. Second Chance Body Armor, Inc. (Bullet Proof Vest Litigation)</b> | Cir. Ct. Mich. Antrim Co., 04-8018-NP                                      |
| <b>Nichols v. SmithKline Beecham Corp. (Paxil)</b>  | E.D. Pa., No. 00-6222  |
| <b>Yacout v. Federal Pacific Electric Co. (Circuit Breaker)</b>   | N.J. Super. Ct., No. MID-L-2904-97   |
| <b>Lewis v. Bayer AG (Baycol)</b>   | 1 <sup>st</sup> Jud. Dist. Ct. Pa., No. 002353                             |
| <b>In re Educ. Testing Serv. PLT 7-12 Test Scoring Litig.</b>   | E.D. La., MDL-1643   |
| <b>Stefanyshyn v. Consol. Indus. Corp. (heat exchanger)</b>   | Ind. Super. Ct., No. 79 D 01-9712-CT-59                                    |
| <b>Barnett v. Wal-Mart Stores, Inc.</b>   | Wash. Super. Ct., No. 01-2-24553-8 SEA                                     |
| <b>In re Serzone Prods. Liability Litig.</b>  | S.D. W. Va., MDL No. 1477  |
| <b>Ford Explorer Cases</b>  | Cal. Super. Ct., JCCP Nos. 4226 & 4270                                     |
| <b>In re Solutia Inc. (Bankruptcy)</b>  | S.D. N.Y., No. 03-17949-PCB  |
| <b>In re Lupron Marketing &amp; Sales Practices Litig.</b>  | D. Mass., No. MDL-1430   |
| <b>Morris v. Liberty Mutual Fire Ins. Co.</b>   | D. Okla., No. CJ-03-714  |
| <b>Bowling, et al. v. Pfizer Inc. (Bjork-Shiley Convexo-Concave Heart Valve)</b>                              | S.D. Ohio, No. C-1-91-256  |



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| <b><i>Thibodeaux v. Conoco Philips Co.</i></b>                             | D. La., No. 2003-481                            |
| <b><i>Morrow v. Conoco Inc.</i></b>  | D. La., No. 2002-3860                           |
| <b><i>Tobacco Farmer Transition Program</i></b>                            | U.S. Dept. of Agric.                            |
| <b><i>Perry v. Mastercard Int'l Inc.</i></b>                               | Ariz. Super. Ct., No. CV2003-007154             |
| <b><i>Brown v. Credit Suisse First Boston Corp.</i></b>                    | C.D. La., No. 02-13738                          |
| <b><i>In re Unum Provident Corp.</i></b>                                   | D. Tenn. No. 1:03-CV-1000                       |
| <b><i>In re Ephedra Prods. Liability Litig.</i></b>                        | D. N.Y., MDL-1598                               |
| <b><i>Chesnut v. Progressive Casualty Ins. Co.</i></b>                     | Ohio C.P., No. 460971                           |
| <b><i>Froeber v. Liberty Mutual Fire Ins. Co.</i></b>                      | Cir. Ct. Ore., No. 00C15234                     |
| <b><i>Luikart v. Wyeth Am. Home Prods. (Hormone Replacment)</i></b>        | Cir. Ct. W. Va., No. 04-C-127                   |
| <b><i>Salkin v. MasterCard Int'l Inc. (Pennsylvania)</i></b>               | Pa. C.P., No. 2648                              |
| <b><i>Rolnik v. AT&amp;T Wireless Servs., Inc.</i></b>                     | N.J. Super. Ct., No. L-180-04                   |
| <b><i>Singleton v. Hornell Brewing Co. Inc.</i></b>                        | No. BC 288 754                                  |
| <b><i>Becherer v. Qwest Commc'ns Int'l, Inc.</i></b>                       | Cir. Ct. Ill. Clair Co., No. 02-L140            |
| <b><i>Clearview Imaging v. Progressive Consumers Ins. Co.</i></b>          | Cir. Ct. Fla. Hillsborough Co., No. 03-4174     |
| <b><i>Mehl v. Canadian Pacific Railway, Ltd</i></b>                        | D. N.D., No. A4-02-009                          |
| <b><i>Murray v. IndyMac Bank. F.S.B</i></b>                                | N.D. Ill., No. 04 C 7669                        |
| <b><i>Gray v. New Hampshire Indemnity Co., Inc.</i></b>                    | Cir. Ct. Ark., No. CV-2002-952-2-3              |
| <b><i>George v. Ford Motor Co.</i></b>                                     | M.D. Tenn., No. 3:04-0783                       |
| <b><i>Allen v. Monsanto Co.</i></b>  | Cir. Ct. W.Va., No 041465                       |
| <b><i>Carnegie v. Household Int'l, Inc.</i></b>                            | N. D. Ill., No. 98-C-2178                       |
| <b><i>Daniel v. AON Corp.</i></b>  | Cir. Ct. Ill., No. 99 CH 11893                  |
| <b><i>In re Royal Ahold Securities and "ERISA" Litig.</i></b>              | D. Md., MDL 1539                                |
| <b><i>In re Pharmaceutical Industry Average Wholesale Price Litig.</i></b> | D. Mass., MDL 1456                              |
| <b><i>Meckstroth v. Toyota Motor Sales, U.S.A, Inc.</i></b>                | 24 <sup>th</sup> J.D.C. No. 583-318, Division O |
| <b><i>Walton v. Ford Motor Co.</i></b>                                     | Cal. Super. Ct., No. SCVSS 126737               |
| <b><i>Hill v. State Farm Mutual Auto Ins. Co.</i></b>                      | Cal. Super. Ct., No. BC 194491                  |
| <b><i>First State Orthopaedics et al. v. Concentra, Inc., et al.</i></b>   | E.D. Pa. No. 2:05-CV-04951-AB                   |
| <b><i>Sauro v. Murphy Oil USA, Inc.</i></b>                                | E.D. La., No. 05-4427                           |
| <b><i>In re High Sulfur Content Gasoline Prods. Liability Litig.</i></b>   | E.D. La., MDL No. 1632                          |
| <b><i>Homeless Shelter Compensation Program</i></b>                        | City of New York                                |
| <b><i>Rosenberg v. Academy Collection Service, Inc.</i></b>                | E.D. Pa., No. 04-CV-5585                        |
| <b><i>Chapman v. Butler &amp; Hosch, P.A.</i></b>                          | 2nd Jud. Cir. Fla., No. 2000-2879               |
| <b><i>In re Vivendi Universal, S.A. Securities Litig.</i></b>              | S.D. N.Y., No. 02-CIV-5571 RJH                  |
| <b><i>Desportes v. American General Assurance Co.</i></b>                  | Ga. Super. Ct., No. SU-04-CV-3637               |

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| <b><i>In re: Propulsid Products Liability Litig.</i></b>                              | E.D. La., MDL No. 1355                             |
| <b><i>Baxter v. The Attorney General of Canada (Residential School Attendees)</i></b> | Ont. Super. Ct., 00-CV-192059 CPA                  |
| <b><i>McNall v. Mastercard Int'l, Inc. (Currency Conversion Fees)</i></b>             | 13 <sup>th</sup> Tenn. Jud. Dist. Ct. Memphis      |
| <b><i>Lee v. Allstate</i></b>   | Cir. Ct. Ill. Kane Co., No. 03 LK 127              |
| <b><i>Turner v. Murphy Oil USA, Inc.</i></b>  | E.D. La., No. 2:05-CV-04206-EEF-JCW                |
| <b><i>Carter v. North Central Life Ins. Co.</i></b>                                   | D. N.H., No. 1:05-CV-00399-JD                      |
| <b><i>Harper v. Equifax</i></b>   | E.D. Pa., No. 2:04-CV-03584-TON                    |
| <b><i>Beasley v. The Hartford</i></b>   | Cir. Ct. Ark., No. CV-2005-58-1                    |
| <b><i>Springer v. Biomedical Tissue Services, LTD (Human Tissue Litig.)</i></b>       | Cir. Ct. Ind. Marion Co., No.1:06-CV-00332-SEB-VSS |
| <b><i>Spence v. Microsoft Corp. (Antitrust Litig.)</i></b>                            | Cir. Ct. Wis. Milwaukee Co., No. 00-CV-003042      |
| <b><i>Pennington v. The Coca Cola Co. (Diet Coke)</i></b>                             | Cir. Ct. Mo. Jackson Co., No. 04-CV-208580         |
| <b><i>Sunderman v. Regeneration Technologies, Inc. (Human Tissue Litig.)</i></b>      | S.D. Ohio, No. 1:06-CV-075-MHW                     |
| <b><i>Splater v. Thermal Ease Hydronic Systems, Inc.</i></b>                          | Wash. Super. Ct., No. 03-2-33553-3 SEA             |
| <b><i>Peyroux v. The United States of America (New Orleans Levee Breach)</i></b>      | E.D. La., No. 06-2317                              |
| <b><i>Chambers v. DaimlerChrysler Corp. (Neon Head Gaskets)</i></b>                   | N.C. Super. Ct., No. 01:CVS-1555                   |
| <b><i>Ciabattari v. Toyota Motor Sales, U.S.A., Inc. (Sienna Run Flat Tires)</i></b>  | N.D. Cal., No. C-05-04289-BZ                       |
| <b><i>In re Bridgestone Securities Litig.</i></b>                                     | M.D. Tenn. No. 3:01-CV-0017                        |
| <b><i>In re Mutual Funds Investment Litig. (Market Timing)</i></b>                    | D. Md., MDL No. 1586                               |
| <b><i>Ciabattari v. Toyota Motor Sales, U.S.A., Inc. (Sienna Run Flat Tires)</i></b>  | N.D. Cal., No. C-05-04289-BZ                       |
| <b><i>In re Bridgestone Securities Litig.</i></b>                                     | M.D. Tenn. No. 3:01-CV-0017                        |
| <b><i>In re Mutual Funds Investment Litig. (Market Timing)</i></b>                    | D. Md., MDL No. 1586                               |
| <b><i>Ciabattari v. Toyota Motor Sales, U.S.A., Inc. (Sienna Run Flat Tires)</i></b>  | N.D. Cal., No. C-05-04289-BZ                       |
| <b><i>In re Bridgestone Securities Litig.</i></b>                                     | M.D. Tenn. No. 3:01-CV-0017                        |
| <b><i>In re Mutual Funds Investment Litig. (Market Timing)</i></b>                    | D. Md., MDL No. 1586                               |

*In Re Residential Schools Class Action Litigation*  
**File Key Code**

**Code**

IND-AB-L-SUM-ENG  
IND-AB-L-SUM-FRE  
IND-AB-S-SUM-ENG  
IND-AB-SUM-ENG  
IND-AB-SUM-FRE  
IND-COV-ENG  
IND-COV-FRE  
IND-DET-ENG  
IND-DET-FRE  
IND-ENV-ENG  
IND-ENV-FRE  
IND-FAX-ENG  
IND-FAX-ENG-EDITORS  
IND-FAX-ENG-ORG  
IND-FAX-ENG-RADIO  
IND-FAX-FRE  
IND-LAW-COV-ENG  
IND-LAW-COV-FRE  
IND-LAWQP-COV-ENG  
IND-LAWQP-COV-FRE  
IND-MN-L-SUM-ENG  
IND-MN-L-SUM-FRE  
IND-MN-S-SUM-ENG  
IND-MN-SUM-ENG  
IND-MN-SUM-FRE  
IND-ORG-COV-ENG  
IND-ORG-COV-FRE  
IND-PRE-ENG  
IND-PRE-FRE  
IND-QP-COV-ENG  
IND-QP-COV-FRE  
IND-RAD-ATIK  
IND-RAD-CHIP  
IND-RAD-COCR  
IND-RAD-CRE  
IND-RAD-CREW

**Definition**

Large English Feather Summary Notice for Aboriginal Publications  
Large French Feather Summary Notice for Aboriginal Publications  
Small English Feather Summary Notice for Aboriginal Publications  
English Feather Summary Notice for Aboriginal Publications  
French Feather Summary Notice for Aboriginal Publications  
English Cover Letter for Mailing to Individuals  
French Cover Letter for Mailing to Individuals  
Detailed Notice in English  
Detailed Notice in French  
Mailing Envelope in English  
Mailing Envelope in French  
Fax Cover Letter in English  
Fax Cover Letter in English to Editors  
Fax Cover Letter in English to Organizations  
Fax Cover Letter in English to radio & television stations and networks  
Fax Cover Letter in French  
Fax Cover Letter to Lawyers in English  
Fax Cover Letter to Lawyers in French  
Fax Cover Letter to Lawyers with lawsuits pending in Quebec in English  
Fax Cover Letter to Lawyers with lawsuits pending in Quebec in French  
Large English Summary Notice for Mainstream Publications  
Large French Summary Notice for Mainstream Publications  
Small English Summary Notice for Mainstream Publications  
English Summary Notice for Mainstream Publications  
French Summary Notice for Mainstream Publications  
English Cover Letter for Mailing to Organizations  
French Cover Letter for Mailing to Organizations  
Informational Release in English  
Informational Release in French  
English Cover Letter for Mailing to Individuals with lawsuits pending in Quebec  
French Cover Letter for Mailing to Individuals with lawsuits pending in Quebec  
Atikamekw Radio Notice  
Chipewyan (Denesuline) Radio Notice  
Coastal Cree Radio Notice  
Cree Radio Notice  
Cree (Woodland) Radio Notice

*In Re Residential Schools Class Action Litigation*  
**File Key Code**

**Code**

IND-RAD-DENE  
IND-RAD-DOG  
IND-RAD-ENG  
IND-RAD-FRE  
IND-RAD-GWI  
IND-RAD-GWIT  
IND-RAD-INN  
IND-RAD-NSL  
IND-RAD-OJCR  
IND-RAD-OJIB  
IND-RAD-OJWE  
IND-RAD-QCR  
IND-RAD-SSL  
IND-RAD-STUT  
IND-RAD-TLIN  
IND-SUM-ENG  
IND-SUM-FRE  
IND-SUM-OJC  
IND-SUM-WEB-ENG  
IND-SUM-WEB-FRE  
IND-TV-CRE  
IND-TV-DOG  
IND-TV-ENG  
IND-TV-FRE  
IND-TV-INN  
INU-AB-L-SUM-ENG  
INU-AB-S-SUM-ENG  
INU-AB-S-SUM-SIG  
INU-AB-SUM-INK  
INU-COV-ENG  
INU-COV-FRE  
INU-COV-INK  
INU-DET-ENG  
INU-DET-FRE  
INU-DET-INK  
INU-ENV-INK

**Definition**

Dene Radio Notice  
Dogrib (Tlicho) Radio Notice  
English Radio Notice  
French Radio Notice  
Gwich'n Radio Notice  
Gwitch'n Radio Notice  
Innu Radio Notice  
North Slavey Radio Notice  
Oji-Cree Radio Notice  
Ojibway Radio Notice  
Ojibwe Radio Notice  
Quebec Cree Radio Notice  
South Slavey Radio Notice  
Southern Tutchone Radio Notice  
Tlingit Radio Notice  
English Feather Summary Notice  
French Feather Summary Notice  
Oji-Cree Feather Summary Notice  
English Feather Summary Notice for Website  
French Feather Summary Notice for Website  
Cree Television Notice  
Dogrib (Tlicho) Television Notice  
English Television Notice  
French Television Notice  
Innu Television Notice  
Large English Summary Notice for Aboriginal Publications in Inuit communities  
Small English Summary Notice for Aboriginal Publications in Inuit communities  
Small Siglit Summary Notice for Aboriginal Publications in Inuit communities  
Inuktitut Summary Notice for Aboriginal Publications in Inuit communities  
English Cover Letter for Mailing to Individuals in Inuit communities  
French Cover Letter for Mailing to Individuals in Inuit communities  
Inuktitut Cover Letter for Mailing to Individuals in Inuit communities  
Detailed notice in English for Inuit communities  
Detailed notice in French for Inuit communities  
Detailed notice in Inuktitut for Inuit communities  
Mailing Envelope in Inuktitut

*In Re Residential Schools Class Action Litigation*  
**File Key Code**

**Code**

INU-FAX-ENG  
INU-FAX-ENG-EDITORS  
INU-FAX-ENG-ORG  
INU-FAX-ENG-RADIO  
INU-LAW-COV-ENG  
INU-LAW-COV-FRE  
INU-LAW-COV-INK  
INU-LAWQP-COV-ENG  
INU-LAWQP-COV-FRE  
INU-LAWQP-COV-INK  
INU-ORG-COV-ENG  
INU-ORG-COV-FRE  
INU-ORG-COV-INK  
INU-PRE-ENG  
INU-PRE-INK  
INU-QP-COV-ENG  
INU-QP-COV-FRE  
INU-QP-COV-INK  
INU-RAD-ENG  
INU-RAD-FRE  
INU-RAD-INKH  
INU-RAD-INKL  
INU-SUM-ENG  
INU-SUM-FRE  
INU-SUM-INK  
INU-SUM-INN  
INU-SUM-SIG  
INU-SUM-WEB-ENG  
INU-SUM-WEB-FRE  
INU-SUM-WEB-INK  
INU-TV-ENG  
INU-TV-INK

**Definition**

Fax Cover Letter in English for Inuit communities  
Fax Cover Letter in English to Editors for Inuit communities  
Fax Cover Letter in English to Organizations for Inuit communities  
Fax Cover Letter in English to radio & television stations and networks for Inuit communities  
Fax Cover Letter to English speaking Lawyers in Inuit communities  
Fax Cover Letter to French speaking Lawyers in Inuit communities  
Fax Cover Letter to Inuktitut speaking Lawyers in Inuit communities  
Fax Cover Letter to English speaking Lawyers in Inuit communities with lawsuits pending in Quebec  
Fax Cover Letter to French speaking Lawyers in Inuit communities with lawsuits pending in Quebec  
Fax Cover Letter to Inuktitut speaking Lawyers in Inuit communities with lawsuits pending in Quebec  
Cover Letter for Mailing to English speaking Organizations in Inuit communities  
Cover Letter for Mailing to French speaking Organizations in Inuit communities  
Cover Letter for Mailing to Inuktitut speaking Organizations in Inuit communities  
Informational Release in English to Inuit communities  
Informational Release in French to Inuit communities  
English Cover Letter for Mailing to Individuals in Inuit communities with lawsuits pending in Quebec  
French Cover Letter for Mailing to Individuals in Inuit communities with lawsuits pending in Quebec  
Inuktitut Cover Letter for Mailing to Individuals in Inuit communities with lawsuits pending in Quebec  
English Radio Notice for Inuit communities  
French Radio Notice for Inuit communities  
Inuktitut (Hudson) Radio Notice for Inuit communities  
Inuktitut (Labrador) Radio Notice for Inuit communities  
English Summary Notice for Inuit communities  
French Summary Notice for Inuit communities  
Inuktitut Summary Notice for Inuit communities  
Innuinaqtun Summary Notice for Inuit communities  
Siglit Summary Notice for Inuit communities  
English Qulliq Summary Notice for Website  
French Qulliq Summary Notice for Website  
Inuktitut Qulliq Summary Notice for Website  
English Television Notice for Inuit communities  
Inuktitut Television Notice for Inuit communities

# Cover Letters for Mailing

## **Official Court Notice**

June 22, 2006

The Indian residential schools settlement process has begun.

First, through the enclosed initial notices, former students and their families will learn how to give their views on the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all the Courts approve the settlement and it becomes final after those hearings, another notice will be distributed to explain how you may get a payment or exclude yourself from the settlement.

Read the enclosed notices about your legal rights carefully. To learn more, call toll free 1-866-879-4913, or visit [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Thank you.

Sincerely,

Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

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June 22, 2006

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Read the enclosed notices about your legal rights carefully. To learn more, call toll free 1-866-879-4913, or visit [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Thank you.

Sincerely,

Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9



## **Avis autorisé par le tribunal**

22 juin 2006

Le processus de règlement concernant les pensionnats indiens a commencé. La guérison se poursuit.

Dans un premier temps, les anciens élèves et leur famille apprendront, par le truchement des avis initiaux, de quelle façon présenter leurs points de vue sur l'équité du règlement. Les tribunaux de toutes les parties du Canada tiendront des audiences publiques. Si tous les tribunaux approuvent le règlement à la suite de ces audiences, un autre avis sera distribué afin d'expliquer aux gens la façon de demander un paiement du règlement ou de s'en exclure.

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Merci.

Veillez agréer mes salutations distinguées,

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Enclosed you will find a short one page notice and a more detailed notice, for members of the community who are included in the settlement.

We are asking for your help to distribute or make available these important notices, as you are able, because the notices affect the legal rights of former students of residential schools and their families. Also, please post a notice in a prominent place where the community will be able to view it, and feel free to print the short notice in any newsletter you may publish, or post a link to the Court website for the settlement, [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca), at any website you host.

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# Fax Cover Letters



## **Official Court Notice**

**FAX**

**Attn: Chief/Mayor and Councillors**

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We are asking for your help to distribute these important notices, as you are able, because they affect the legal rights of former students of Indian residential schools and their families. Also, please post the notice in a prominent place where the community will be able to view it and feel free to print it in any newsletter you may publish.

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## **AVIS AUTORISÉ PAR LE TRIBUNAL**

### **TÉLÉCOPIE**

**À l'attention de : Chef/maire et conseillers**

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Nous demandons votre assistance en vue de distribuer ces avis importants, de la façon dont vous le pouvez, puisqu'ils affectent les droits légaux des anciens élèves des pensionnats indiens et de leur famille. De plus, veuillez afficher l'avis dans un endroit bien en vue où la collectivité pourra le voir et n'hésitez pas à l'imprimer afin de l'insérer dans tout bulletin d'information que vous publiez.

Vous pouvez obtenir de plus amples renseignements en appelant sans frais au numéro 1-866-879-4913 (qui est également reliée à la ligne d'écoute téléphonique du gouvernement) ou en visitant le site [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca). Votre bureau recevra par le courrier une trousse contenant un document plus détaillé sur l'avis auquel les gens peuvent également se référer.

Merci.

Veuillez agréer mes salutations distinguées,

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## **Official Court Notice**

**FAX**

**Attn: Editor**

**PRESS RELEASE:** Courts to notify former students of Canada's Indian residential schools about the settlement process; Hearings to start in August.

The Indian residential schools settlement process has begun. We are asking for your help to inform former students of Indian residential schools and their families that their legal rights are affected by the settlement. Please help us, as you are able, by publishing a story in an upcoming edition of your publication.

The attached Court-ordered press release contains details about the settlement and the legal rights that are affected. First, through initial notices, former students and their families will learn how to give their views on the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it.

Learn more by calling toll free 1-866-879-4913 (which is also linked to crisis line services), or by visiting [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Thank you.

Sincerely,

Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

## **Official Court Notice**

**FAX**

**Attn: Editor**

**PRESS RELEASE:** Courts to notify former students of Canada's residential schools about the settlement process; Hearings to start in August.

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Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

## **Official Court Notice**

**FAX**

**Attn: <Organization/First Nation/Friendship Centre/Aboriginal Healing Foundation Name>**

**PRESS RELEASE:** Courts to notify former students of Canada's Indian residential schools about the settlement process; Hearings to start in August.

The Indian residential schools settlement process has begun. We are asking for your help to distribute or make available this important information, as you are able, because the settlement affects the legal rights of former students of residential schools and their families. Please feel free to print information regarding the settlement in any newsletter you may publish, or post the press release or a link to the Court website for the settlement, [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca), at any website you host.

The attached Court-ordered press release contains details about the settlement and the legal rights that are affected. First, through initial notices, former students and their families will learn how to give their views on the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it.

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Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

**Official Court Notice**

**FAX**

**Attn: Network Manager**

**PRESS RELEASE:** Courts to notify former students of Canada's Indian residential schools about the settlement process; Hearings to start in August.

The Indian residential schools settlement process has begun. We are asking for your help to inform former students of Indian residential schools and their families that their legal rights are affected by the settlement. Please help us, as you are able, by broadcasting a public service announcement or informing the public through a talk show, on the radio stations you oversee.

The attached Court-ordered press release contains details about the settlement and the legal rights that are affected. First, through initial notices, former students and their families will learn how to give their views on the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it.

Learn more by calling toll free 1-866-879-4913 (which is also linked to crisis line services), or by visiting [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Thank you.

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Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
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Thank you.

Sincerely,

Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

# Detailed Notices

# The residential schools settlement process has begun.

## The healing continues.

*This is a court authorized notice. This is not a solicitation from a lawyer.*

The Indian residential schools settlement process has started. First, Courts across Canada will hold public hearings to consider whether the settlement is fair, reasonable, and adequate. Former students and their families may object to the settlement and ask to speak at one of the hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it. The settlement provides:

- o At least \$1.9 billion dollars available for “common experience” payments for former students who lived at the schools;
- o A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each, or more money for those who also show a loss of income;
- o \$125 million to the Aboriginal Healing Foundation for healing programmes, \$60 million for truth and reconciliation to document and preserve the experiences of survivors, and \$20 million for national and community commemorative projects;
- o Up to about \$100 million for the lawyers who represent former students across Canada; and
- o Other things detailed in a full settlement agreement available by calling or going to the website below.

| <b>YOUR LEGAL RIGHTS AND OPTIONS:</b> |  |
|---------------------------------------|--|
| <b>GO TO A HEARING</b>                | Ask to speak in Court about the settlement.  |
| <b>OBJECT</b>                         | Tell a Court why you are against the settlement.   |
| <b>DO NOTHING</b>                     | Await the outcome of the hearings.   |
| <b>FUTURE RIGHTS</b>                  | If all the Courts approve the settlement, another notice will explain how you may request a payment or ask to be excluded from the settlement. |

These rights and options—and the important dates—are explained in this notice.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

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## **BASIC INFORMATION**

### **1. Why was this notice issued?**

Courts authorized this notice because you have a right to know about a proposed settlement of the class action lawsuits and about your options, before the Courts decide whether to approve the settlement. This notice explains the lawsuits, the settlement, and your legal rights. At this time you have the right to object to the settlement and speak at a hearing.

Multiple Courts in Canada, including the Québec Superior Court, the Superior Court of Justice for Ontario, the Manitoba Court of Queen's Bench, the Saskatchewan Court of Queen's Bench, the Alberta Court of Queen's Bench, the Supreme Court of British Columbia, the Supreme Court of the Yukon Territory, The Nunavut Court of Justice, and the Supreme Court of the Northwest Territories, ("Courts") are overseeing all of the various lawsuits and class action lawsuits. The cases together are known as *In re Residential Schools Class Action Litigation*.

The former residential school students and their families are called the "Plaintiffs," and the entities they sued are called the "Defendants." The Defendants include the Government of Canada ("Government") and various church and church-related entities including The General Synod of the Anglican Church of Canada, The Dioceses of the Anglican Church of Canada, The Presbyterian Church in Canada, The United Church of Canada, The Methodist Church of Canada, and various Catholic entities (together called the "Churches").

### **2. What is the lawsuit about?**

Residential schools were boarding schools for Aboriginal children that operated throughout Canada for over a century. Canada and religious organizations operated the schools. Harms and abuses were committed against the children. Various lawsuits were started against the Government, the Churches, and others, based on the operation and management of residential schools in Canada.

### **3. Why is this a class action?**

In a class action one or more people called "class representatives" sue on behalf of people who have similar claims. All of these people are a "Class." The courts resolve the issues for everyone affected, except for those who exclude themselves from the Class.

### **4. Why is there a settlement?**

Both sides agreed to a settlement to avoid the delays, costs, and risks of trials. The class representatives and the lawyers representing them think the settlement is best for former students.

## **WHO IS COVERED BY THE SETTLEMENT?**

It has been estimated that approximately 80,000 living Aboriginal people are former students of the residential school system. To see if you are eligible for a payment, you first have to determine whether you are included.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## 5. How do I know if I am part of the settlement?

The settlement includes former students and family members of recognized residential schools in Canada. This includes Aboriginal people from First Nations, Inuit, Inuvialuit, Métis, or former students from any other community. Those who lived at the schools, those who attended during the day, and family members of former students are all affected by the settlement, but may be eligible for different benefits, so read carefully because your legal rights may be affected.

## 6. Which schools are included?

The list of recognized residential schools and hostels is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913. If you attended a residential school that is not on the list, you may request that an institution be added to the list of recognized schools. Submit the name of the school you think should be added and any relevant information about it at the website or by writing to: Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9. The Government will research the proposed institution and determine whether it should be added to the list of recognized residential schools. If a school you suggest is not added, you may appeal that decision.

## 7. What if I have my own lawsuit against the Government and/or Churches?

Except for people with current residential school lawsuits in Québec, you are included even if you have a separate lawsuit. Read this notice carefully and talk to your lawyer as soon as possible to see how it will affect your rights to continue with that lawsuit. See more about Québec lawsuits in Question 35.

## 8. I'm still not sure if I'm included in the settlement.

If you are not sure whether you are included, you may call 1-866-879-4913 with questions.

# THE SETTLEMENT BENEFITS—WHAT YOU GET

## 9. What does the settlement provide?

The settlement provides:

- **Common Experience Payment (“CEP”) Fund** – At least \$1.9 billion, plus interest, will be made available for lump sum payments to former students who lived at one of the residential schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that. If there is not enough money in the fund to pay all valid claims, the Government will add money to the fund. However, if there is any money remaining in the CEP fund after all valid claims are paid: (1) if the amount is less than \$40,000,000, all of the remaining money will be given to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit, and Métis people; (2) if the amount is greater than \$40,000,000, former students who submit valid claim forms will get an equal share of “Personal Credits,” not cash, up to a maximum of \$3,000. These credits can be used for personal, family, or group education services. Any balance remaining in the CEP fund after paying the Personal Credits will be paid to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit and Métis people.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

- **Independent Assessment Process (“IAP”)** – A new independent assessment process (replacing the alternative dispute resolution process which will end if the settlement is approved) allows those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to qualify for between \$5,000 and \$275,000 each. More, up to a maximum of \$430,000 total, may be awarded if you also show a loss of income. There is a point system based on different abuses and resulting harms. The more points the greater the payment. There is a review process if you don’t agree with the amount granted to you. An amount for future care and a contribution of 15% of the total award to help with legal costs is also available.
- **Healing Fund** – \$125 million will be given to the Aboriginal Healing Foundation for a five year period to fund healing programmes for former students and their families. This is in addition to the \$390 million that the Government has previously funded to establish the Aboriginal Healing Foundation for the benefit of both living former students and the families of deceased students.
- **Truth and Reconciliation Fund** – \$60 million to research, document, and preserve the experiences of the survivors and their families for future generations.
- **Commemoration Fund** – \$20 million for national and community commemorative projects.

More details are in a document called the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913.

### **10. Who can get a common experience payment (CEP)?**

Any former student who was alive on May 30, 2005, and who lived at a residential school before December 31, 1997 is eligible for a lump sum payment from the CEP fund. You don’t have to prove you were abused to get a CEP.

### **11. What about former students who have passed away and their families?**

Claims on behalf of former students who died recently will be allowed. Specifically, all former students who were alive on May 30, 2005 are eligible for a CEP. Also, any former student who attended the Mohawk Institute Residential Boarding School in Brantford, Ontario between 1922 and 1969 and was alive on October 5, 1996, is also eligible for a CEP. Family members of any residential school student, whenever they died, will be able to take advantage of the healing programmes funded by the settlement.

### **12. Can I get a payment if I previously brought an abuse claim?**

Yes, even if you already won, lost, or settled an abuse claim, either in court, by negotiation, or under the Government’s alternative dispute resolution (“ADR”) process you are still eligible for a CEP, and it’s possible that you may qualify for additional money under the new IAP.

### **13. What about my abuse claim in the current ADR process?**

Until the Courts approve the settlement, the current ADR process will continue to receive applications, hear claims, and award payments to former students for sexual, physical, or other abuse covered under that programme. If the settlement is approved by all the Courts, applications to the current ADR process will end. Many claimants who applied to the ADR process before the ADR process ends will have a choice to continue in the ADR process or move to the IAP once the settlement becomes final. More detailed information on the IAP is in Schedule D of the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

#### **14. Who is eligible for the Independent assessment process (IAP)?**

If you suffered sexual or serious physical abuse, or other abuses that caused serious psychological effects, you may be eligible if: a) you are a former student who attended and lived at a residential school, or b) you were invited to take part in an authorized school activity (while under the age of 21) even if you did not live at a school.

#### **15. Can I get a CEP if I also have an IAP claim?**

Yes.

#### **16. Will my social assistance benefits be affected if I take the CEP?**

The Government is working with provincial and territorial governments, and all federal departments to try to ensure that any payment you receive will not affect the amount, nature, or duration of any social benefits or social assistance benefits received by former students.

#### **17. Will the CEP be taxable?**

No. The Government has determined that CEP payments will not be taxable.

#### **18. Will mental health and emotional support services continue?**

Yes, the Government will continue to provide existing mental health and emotional support services and agrees to make those services available to CEP recipients and those former students resolving abuse claims through the IAP, as well as those participating in truth and reconciliation, or commemorative projects.

#### **19. What am I giving up in exchange for the settlement benefits?**

If the settlement becomes final, former students and family members will be releasing the Defendants and all related people and entities from all legal claims pertaining to their attendance at residential schools. All the "released" claims are described and identified in Article 11 of the Settlement Agreement available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913. The Settlement Agreement describes the released claims with specific descriptions, in necessarily accurate legal terminology, so read it carefully, and talk to a lawyer if you have questions about the released claims or what they mean. The lawyers involved in the settlement are listed at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

### **HOW TO GET A PAYMENT**

#### **20. How can I get a payment?**

The claims process has not yet started. If, and after, the Courts approve the settlement you will be able to apply for payments. A follow-up notice will explain how you can do this.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**



## **21. When will I get a payment?**

If the Courts approve the settlement (see "The Court Hearings to Approve the Settlement" below), there will be a period of several months to allow people to exclude themselves from the settlement. Then people may apply for payments, and payments will be made if the Courts approve the settlement and after any appeals are resolved. Please be patient.

## **22. What about advance payments for the elderly?**

Any eligible former residential school student, 65 years of age and older as of May 30, 2005 may apply until December 31, 2006 for an advance payment of \$8,000. The advance payment application form is available by calling 1-800-816-7293, or by visiting [www.irsr-rqpi.gc.ca](http://www.irsr-rqpi.gc.ca).

## **THE LAWYERS**

### **23. Do I have a lawyer in the case?**

If you don't already have your own lawyer, the website lists the law firms that signed onto the settlement, and they represent former students and family members. If you want to, you can contact one of the lawyers on the list for advice, or you may hire a different lawyer.

### **24. Will I have to pay a lawyer to get a CEP?**

You don't have to hire and pay a lawyer to submit a claim to get a common experience payment. However, if you do hire a lawyer, or if you have already hired a lawyer, you should ask him or her if they will assist you in getting a CEP without charging for that work.

### **25. How will the lawyers be paid?**

The Government will pay all of the lawyers listed at the website a total of up to approximately \$100 million in fees, plus costs and taxes, for their work to represent former students, including their work on the lawsuits and negotiations for the settlement. The fees, costs, and taxes that the Courts award will not reduce the money available for former students.

### **26. Will I have to pay a lawyer to get an IAP payment?**

You may hire a lawyer to represent you with a serious abuse claim. The IAP is necessarily complex and it is advisable to have a lawyer working on your behalf to help you get the payment you may be eligible for. The lawyers, which may include the same lawyers listed at the website, will charge you additional fees for any IAP payments they get for you. If you are represented by a lawyer, the IAP payments will be adjusted by the Government to provide an extra 15% towards any fee a lawyer may charge you, but you must pay anything beyond that.

## **OBJECTING TO THE SETTLEMENT**

You can tell the Courts if you don't agree with the settlement or some part of it.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

### 27. How do I tell the Court if I am against the settlement?

You can object to the settlement if you don't like some part of it. If you have an objection, you must by **August 25, 2006**, write to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, call toll free 1-866-879-4913, or send an email to [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca). Be sure to explain why you are against the settlement, and include your name, the school(s) you attended, your address, and telephone number. Tell us if you have a lawyer, who it is, and if you plan to come and speak at the hearing affecting you.

### 28. Do I need a lawyer to object?

You can object without paying a lawyer. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 29. If I object can I still get a payment later?

Yes. If you object, but the settlement is approved, you will still be able to apply for a payment, as long as you don't exclude yourself (see "Excluding Yourself from the Settlement" below).

## THE COURT HEARINGS TO APPROVE THE SETTLEMENT

The Courts will hold hearings to decide whether to approve the settlement. You may attend and you may ask to speak, but you don't have to.

### 30. How will the Courts decide whether to approve the settlement?

Nine different Courts will hold hearings based on the schedule below, to consider whether to approve the settlement. At the hearings, the Courts will consider whether the settlement is fair, reasonable, and adequate. If there are objections the Courts will consider them at the hearings. All of the Courts must decide to approve the settlement, before the settlement becomes final. We do not know how long these decisions will take.

| HEARING               | LOCATION  | HEARING DATE          | TIME       |
|-----------------------|---|-----------------------|------------|
| Ontario               | Ontario Superior Court of Justice<br>Court House<br>361 University Avenue<br>Toronto, ON M5G 1T3  | August 29-31, 2006    | 10:00 a.m. |
| Québec                | Superior Court of Québec<br>Palais de justice<br>1 Notre-Dame Street East<br>Montreal, QC H2Y 1B6 | September 8, 2006     | 9:30 a.m.  |
| Saskatchewan          | Court of Queen's Bench<br>Court House<br>2425 Victoria Avenue<br>Regina, SK S4P 3V7               | September 18-20, 2006 | 10:00 a.m. |
| Northwest Territories | Court House<br>4903 - 49th Street<br>Yellowknife, Northwest Territories<br>X1A 2N4                | October 3-4, 2006     | 10:00 a.m. |

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

|                  |   |                     |            |
|------------------|---|---------------------|------------|
| Manitoba         | Court of Queen's Bench<br>Law Courts Building<br>408 York Avenue<br>Winnipeg, MB R3C 0P9                | October 5-6, 2006   | 10:00 a.m. |
| Nunavut          | Nunavut Court of Justice<br>Nunavut Justice Centre (Building #510)<br>Iqaluit, Nunavut X0A 0H0          | October 10-11, 2006 | 9:30 a.m.  |
| British Columbia | The Supreme Court of British Columbia<br>The Law Courts<br>800 Smithe Street<br>Vancouver, B.C. V6Z 2E1 | October 10-12, 2006 | 10:00 a.m. |
| Alberta          | Court of Queen's Bench<br>Court House<br>611 - 4 St. S.W.<br>Calgary, AB T2P 1T5                        | October 12-13, 2006 | 10:00 a.m. |
| Yukon            | Supreme Court of the Yukon Territory<br>2134 Second Avenue<br>Whitehorse, Yukon Y1A 5H6                 | October 16-17, 2006 | 10:00 a.m. |

### 31. Which hearing affects me?

The Court hearing affecting you is based on where you now live, not where you went to school, with one exception: If you attended the Mohawk Institute Residential Boarding School in Brantford, Ontario, the Ontario hearing affects you no matter where you now live. Also, to reduce the number of hearings, the Court in Ontario will oversee the claims from people living in some other places as well:

| WHERE YOU LIVE        | COURT HEARING AFFECTING YOU |
|-----------------------|-----------------------------|
| Labrador              | Ontario                     |
| New Brunswick         | Ontario                     |
| Newfoundland          | Ontario                     |
| Nova Scotia           | Ontario                     |
| Ontario               | Ontario                     |
| Outside Canada        | Ontario                     |
| Prince Edward Island  | Ontario                     |
| Québec                | Québec                      |
| Northwest Territories | Northwest Territories       |
| Nunavut               | Nunavut                     |
| Yukon                 | Yukon                       |
| Alberta               | Alberta                     |
| Manitoba              | Manitoba                    |
| Saskatchewan          | Saskatchewan                |
| British Columbia      | British Columbia            |

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

### **32. Do I have to come to a hearing?**

No. The lawyers will answer any questions the judges may have. But, you are welcome to come at your own expense. If you send an objection, you don't have to come to a Court hearing to talk about it. As long as you submit an objection by **August 25, 2006**, it will be considered at the hearing affecting you.

### **33. Which hearing may I attend?**

You may attend any of the hearings. However, if you want to speak you must attend the hearing held at the Court that is in charge of your claims, described in question 31 above.

### **34. May I speak at a hearing?**

You are welcome to go to the hearing affecting you and ask the Court for permission to speak. You may also pay a lawyer to attend and speak for you, but it's not required.

## **EXCLUDING YOURSELF FROM THE SETTLEMENT**

### **35. How do I get out of the settlement?**

Even if the settlement is approved, after the hearings and after considering any objections, you will have an opportunity to exclude yourself and keep any rights you may have to sue over these claims. If the settlement is approved, a follow-up notice will explain how you can do this. If you don't exclude yourself at that point, you will be giving up all legal claims against the Defendants and related people and entities, pertaining to attendance at residential schools (see Question 19 above).

Please note that in Québec the law is different: if you have a current lawsuit for residential school abuse in the Province of Québec, it will have to be discontinued in order to get any payment or benefit from this settlement. Talk to your lawyer as soon as possible. Other people without individual lawsuits pending in Québec will have the same exclusion rights as others in Canada.

## **GETTING MORE INFORMATION**

### **36. How do I get more information?**

This notice summarizes the proposed settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913. You may also write with questions to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.

# The residential schools settlement process has begun. The healing continues.

*This is a court authorized notice. This is not a solicitation from a lawyer.*

The residential schools settlement process has started. First, Courts across Canada will hold public hearings to consider whether the settlement is fair, reasonable, and adequate. Former students and their families may object to the settlement and ask to speak at one of the hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it. The settlement provides:

- At least \$1.9 billion dollars available for “common experience” payments for former students who lived at the schools;
- A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each, or more money for those who also show a loss of income;
- \$125 million to the Aboriginal Healing Foundation for healing programmes, \$60 million for truth and reconciliation to document and preserve the experiences of survivors, and \$20 million for national and community commemorative projects;
- Up to about \$100 million for the lawyers who represent former students across Canada; and
- Other things detailed in a full settlement agreement available by calling or going to the website below.

| <b>YOUR LEGAL RIGHTS AND OPTIONS:</b> |  |
|---------------------------------------|--|
| <b>GO TO A HEARING</b>                | Ask to speak in Court about the settlement.  |
| <b>OBJECT</b>                         | Tell a Court why you are against the settlement.   |
| <b>DO NOTHING</b>                     | Await the outcome of the hearings.   |
| <b>FUTURE RIGHTS</b>                  | If all the Courts approve the settlement, another notice will explain how you may request a payment or ask to be excluded from the settlement. |

These rights and options—and the important dates—are explained in this notice.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

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4. Why is there a settlement?

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**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## BASIC INFORMATION

### 1. Why was this notice issued?

Courts authorized this notice because you have a right to know about a proposed settlement of the class action lawsuits and about your options, before the Courts decide whether to approve the settlement. This notice explains the lawsuits, the settlement, and your legal rights. At this time you have the right to object to the settlement and speak at a hearing.

Multiple Courts in Canada, including the Québec Superior Court, the Superior Court of Justice for Ontario, the Manitoba Court of Queen's Bench, the Saskatchewan Court of Queen's Bench, the Alberta Court of Queen's Bench, the Supreme Court of British Columbia, the Supreme Court of the Yukon Territory, The Nunavut Court of Justice, and the Supreme Court of the Northwest Territories, ("Courts") are overseeing all of the various lawsuits and class action lawsuits. The cases together are known as *In re Residential Schools Class Action Litigation*.

The former residential school students and their families are called the "Plaintiffs," and the entities they sued are called the "Defendants." The Defendants include the Government of Canada ("Government") and various church and church-related entities including The General Synod of the Anglican Church of Canada, The Dioceses of the Anglican Church of Canada, The Presbyterian Church in Canada, The United Church of Canada, The Methodist Church of Canada, and various Catholic entities (together called the "Churches").

### 2. What is the lawsuit about?

Residential schools were boarding schools for Aboriginal children that operated throughout Canada for over a century. Canada and religious organizations operated the schools. Harms and abuses were committed against the children. Various lawsuits were started against the Government, the Churches, and others, based on the operation and management of residential schools in Canada.

### 3. Why is this a class action?

In a class action one or more people called "class representatives" sue on behalf of people who have similar claims. All of these people are a "Class." The courts resolve the issues for everyone affected, except for those who exclude themselves from the Class.

### 4. Why is there a settlement?

Both sides agreed to a settlement to avoid the delays, costs, and risks of trials. The class representatives and the lawyers representing them think the settlement is best for former students.

## WHO IS COVERED BY THE SETTLEMENT?

It has been estimated that approximately 80,000 living Aboriginal people are former students of the residential school system. To see if you are eligible for a payment, you first have to determine whether you are included.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## 5. How do I know if I am part of the settlement?

The settlement includes former students and family members of recognized residential schools in Canada. This includes Aboriginal people from First Nations, Inuit, Inuvialuit, Métis, or former students from any other community. Those who lived at the schools, those who attended during the day, and family members of former students are all affected by the settlement, but may be eligible for different benefits, so read carefully because your legal rights may be affected.

## 6. Which schools are included?

The list of recognized residential schools and hostels is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913. If you attended a residential school that is not on the list, you may request that an institution be added to the list of recognized schools. Submit the name of the school you think should be added and any relevant information about it at the website or by writing to: Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9. The Government will research the proposed institution and determine whether it should be added to the list of recognized residential schools. If a school you suggest is not added, you may appeal that decision.

## 7. What if I have my own lawsuit against the Government and/or Churches?

Except for people with current residential school lawsuits in Québec, you are included even if you have a separate lawsuit. Read this notice carefully and talk to your lawyer as soon as possible to see how it will affect your rights to continue with that lawsuit. See more about Québec lawsuits in Question 35.

## 8. I'm still not sure if I'm included in the settlement.

If you are not sure whether you are included, you may call 1-866-879-4913 with questions.

# THE SETTLEMENT BENEFITS—WHAT YOU GET

## 9. What does the settlement provide?

The settlement provides:

- **Common Experience Payment (“CEP”) Fund** – At least \$1.9 billion, plus interest, will be made available for lump sum payments to former students who lived at one of the residential schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that. If there is not enough money in the fund to pay all valid claims, the Government will add money to the fund. However, if there is any money remaining in the CEP fund after all valid claims are paid: (1) if the amount is less than \$40,000,000, all of the remaining money will be given to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit, and Métis people; (2) if the amount is greater than \$40,000,000, former students who submit valid claim forms will get an equal share of “Personal Credits,” not cash, up to a maximum of \$3,000. These credits can be used for personal, family, or group education services. Any balance remaining in the CEP fund after paying the Personal Credits will be paid to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit and Métis people.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**



- **Independent Assessment Process (“IAP”)** – A new independent assessment process (replacing the alternative dispute resolution process which will end if the settlement is approved) allows those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to qualify for between \$5,000 and \$275,000 each. More, up to a maximum of \$430,000 total, may be awarded if you also show a loss of income. There is a point system based on different abuses and resulting harms. The more points the greater the payment. There is a review process if you don’t agree with the amount granted to you. An amount for future care and a contribution of 15% of the total award to help with legal costs is also available.
- **Healing Fund** – \$125 million will be given to the Aboriginal Healing Foundation for a five year period to fund healing programmes for former students and their families. This is in addition to the \$390 million that the Government has previously funded to establish the Aboriginal Healing Foundation for the benefit of both living former students and the families of deceased students.
- **Truth and Reconciliation Fund** – \$60 million to research, document, and preserve the experiences of the survivors and their families for future generations.
- **Commemoration Fund** – \$20 million for national and community commemorative projects.

More details are in a document called the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913.

### **10. Who can get a common experience payment (CEP)?**

Any former student who was alive on May 30, 2005, and who lived at a residential school before December 31, 1997 is eligible for a lump sum payment from the CEP fund. You don’t have to prove you were abused to get a CEP.

### **11. What about former students who have passed away and their families?**

Claims on behalf of former students who died recently will be allowed. Specifically, all former students who were alive on May 30, 2005 are eligible for a CEP. Also, any former student who attended the Mohawk Institute Residential Boarding School in Brantford, Ontario between 1922 and 1969 and was alive on October 5, 1996, is also eligible for a CEP. Family members of any residential school student, whenever they died, will be able to take advantage of the healing programmes funded by the settlement.

### **12. Can I get a payment if I previously brought an abuse claim?**

Yes, even if you already won, lost, or settled an abuse claim, either in court, by negotiation, or under the Government’s alternative dispute resolution (“ADR”) process you are still eligible for a CEP, and it’s possible that you may qualify for additional money under the new IAP.

### **13. What about my abuse claim in the current ADR process?**

Until the Courts approve the settlement, the current ADR process will continue to receive applications, hear claims, and award payments to former students for sexual, physical, or other abuse covered under that programme. If the settlement is approved by all the Courts, applications to the current ADR process will end. Many claimants who applied to the ADR process before the ADR process ends will have a choice to continue in the ADR process or move to the IAP once the settlement becomes final. More detailed information on the IAP is in Schedule D of the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

#### **14. Who is eligible for the independent assessment process (IAP)?**

If you suffered sexual or serious physical abuse, or other abuses that caused serious psychological effects, you may be eligible if: a) you are a former student who attended and lived at a residential school, or b) you were invited to take part in an authorized school activity (while under the age of 21) even if you did not live at a school.

#### **15. Can I get a CEP if I also have an IAP claim?**

Yes.

#### **16. Will my social assistance benefits be affected if I take the CEP?**

The Government is working with provincial and territorial governments, and all federal departments to try to ensure that any payment you receive will not affect the amount, nature, or duration of any social benefits or social assistance benefits received by former students.

#### **17. Will the CEP be taxable?**

No. The Government has determined that CEP payments will not be taxable.

#### **18. Will mental health and emotional support services continue?**

Yes, the Government will continue to provide existing mental health and emotional support services and agrees to make those services available to CEP recipients and those former students resolving abuse claims through the IAP, as well as those participating in truth and reconciliation, or commemorative projects.

#### **19. What am I giving up in exchange for the settlement benefits?**

If the settlement becomes final, former students and family members will be releasing the Defendants and all related people and entities from all legal claims pertaining to their attendance at residential schools. All the "released" claims are described and identified in Article 11 of the Settlement Agreement available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913. The Settlement Agreement describes the released claims with specific descriptions, in necessarily accurate legal terminology, so read it carefully, and talk to a lawyer if you have questions about the released claims or what they mean. The lawyers involved in the settlement are listed at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

## **HOW TO GET A PAYMENT**

#### **20. How can I get a payment?**

The claims process has not yet started. If, and after, the Courts approve the settlement you will be able to apply for payments. A follow-up notice will explain how you can do this.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## **21. When will I get a payment?**

If the Courts approve the settlement (see "The Court Hearings to Approve the Settlement" below), there will be a period of several months to allow people to exclude themselves from the settlement. Then people may apply for payments, and payments will be made if the Courts approve the settlement and after any appeals are resolved. Please be patient.

## **22. What about advance payments for the elderly?**

Any eligible former residential school student, 65 years of age and older as of May 30, 2005 may apply until December 31, 2006 for an advance payment of \$8,000. The advance payment application form is available by calling 1-800-816-7293, or by visiting [www.irsr-rqpi.gc.ca](http://www.irsr-rqpi.gc.ca).

## **THE LAWYERS**

### **23. Do I have a lawyer in the case?**

If you don't already have your own lawyer, the website lists the law firms that signed onto the settlement, and they represent former students and family members. If you want to, you can contact one of the lawyers on the list for advice, or you may hire a different lawyer.

### **24. Will I have to pay a lawyer to get a CEP?**

You don't have to hire and pay a lawyer to submit a claim to get a common experience payment. However, if you do hire a lawyer, or if you have already hired a lawyer, you should ask him or her if they will assist you in getting a CEP without charging for that work.

### **25. How will the lawyers be paid?**

The Government will pay all of the lawyers listed at the website a total of up to approximately \$100 million in fees, plus costs and taxes, for their work to represent former students, including their work on the lawsuits and negotiations for the settlement. The fees, costs, and taxes that the Courts award will not reduce the money available for former students.

### **26. Will I have to pay a lawyer to get an IAP payment?**

You may hire a lawyer to represent you with a serious abuse claim. The IAP is necessarily complex and it is advisable to have a lawyer working on your behalf to help you get the payment you may be eligible for. The lawyers, which may include the same lawyers listed at the website, will charge you additional fees for any IAP payments they get for you. If you are represented by a lawyer, the IAP payments will be adjusted by the Government to provide an extra 15% towards any fee a lawyer may charge you, but you must pay anything beyond that.

## **OBJECTING TO THE SETTLEMENT**

You can tell the Courts if you don't agree with the settlement or some part of it.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## 27. How do I tell the Court if I am against the settlement?

You can object to the settlement if you don't like some part of it. If you have an objection, you must by **August 25, 2006**, write to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, call toll free 1-866-879-4913, or send an email to [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca). Be sure to explain why you are against the settlement, and include your name, the school(s) you attended, your address, and telephone number. Tell us if you have a lawyer, who it is, and if you plan to come and speak at the hearing affecting you.

## 28. Do I need a lawyer to object?

You can object without paying a lawyer. If you want to be represented by your own lawyer, you may hire one at your own expense.

## 29. If I object can I still get a payment later?

Yes. If you object, but the settlement is approved, you will still be able to apply for a payment, as long as you don't exclude yourself (see "Excluding Yourself from the Settlement" below).

# THE COURT HEARINGS TO APPROVE THE SETTLEMENT

The Courts will hold hearings to decide whether to approve the settlement. You may attend and you may ask to speak, but you don't have to.

## 30. How will the Courts decide whether to approve the settlement?

Nine different Courts will hold hearings based on the schedule below, to consider whether to approve the settlement. At the hearings, the Courts will consider whether the settlement is fair, reasonable, and adequate. If there are objections the Courts will consider them at the hearings. All of the Courts must decide to approve the settlement, before the settlement becomes final. We do not know how long these decisions will take.

| HEARING               | LOCATION  | HEARING DATE          | TIME       |
|-----------------------|---|-----------------------|------------|
| Ontario               | Ontario Superior Court of Justice<br>Court House<br>361 University Avenue<br>Toronto, ON M5G 1T3  | August 29-31, 2006    | 10:00 a.m. |
| Québec                | Superior Court of Québec<br>Palais de justice<br>1 Notre-Dame Street East<br>Montreal, QC H2Y 1B6 | September 8, 2006     | 9:30 a.m.  |
| Saskatchewan          | Court of Queen's Bench<br>Court House<br>2425 Victoria Avenue<br>Regina, SK S4P 3V7               | September 18-20, 2006 | 10:00 a.m. |
| Northwest Territories | Court House<br>4903 - 49th Street<br>Yellowknife, Northwest Territories<br>X1A 2N4                | October 3-4, 2006     | 10:00 a.m. |

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

|                  |   |                     |            |
|------------------|---|---------------------|------------|
| Manitoba         | Court of Queen's Bench<br>Law Courts Building<br>408 York Avenue<br>Winnipeg, MB R3C 0P9                | October 5-6, 2006   | 10:00 a.m. |
| Nunavut          | Nunavut Court of Justice<br>Nunavut Justice Centre (Building #510)<br>Iqaluit, Nunavut X0A 0H0          | October 10-11, 2006 | 9:30 a.m.  |
| British Columbia | The Supreme Court of British Columbia<br>The Law Courts<br>800 Smithe Street<br>Vancouver, B.C. V6Z 2E1 | October 10-12, 2006 | 10:00 a.m. |
| Alberta          | Court of Queen's Bench<br>Court House<br>611 - 4 St. S.W.<br>Calgary, AB T2P 1T5                        | October 12-13, 2006 | 10:00 a.m. |
| Yukon            | Supreme Court of the Yukon Territory<br>2134 Second Avenue<br>Whitehorse, Yukon Y1A 5H6                 | October 16-17, 2006 | 10:00 a.m. |

### 31. Which hearing affects me?

The Court hearing affecting you is based on where you now live, not where you went to school, with one exception: If you attended the Mohawk Institute Residential Boarding School in Brantford, Ontario, the Ontario hearing affects you no matter where you now live. Also, to reduce the number of hearings, the Court in Ontario will oversee the claims from people living in some other places as well:

| WHERE YOU LIVE        | COURT HEARING AFFECTING YOU |
|-----------------------|-----------------------------|
| Labrador              | Ontario                     |
| New Brunswick         | Ontario                     |
| Newfoundland          | Ontario                     |
| Nova Scotia           | Ontario                     |
| Ontario               | Ontario                     |
| Outside Canada        | Ontario                     |
| Prince Edward Island  | Ontario                     |
| Québec                | Québec                      |
| Northwest Territories | Northwest Territories       |
| Nunavut               | Nunavut                     |
| Yukon                 | Yukon                       |
| Alberta               | Alberta                     |
| Manitoba              | Manitoba                    |
| Saskatchewan          | Saskatchewan                |
| British Columbia      | British Columbia            |

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

### **32. Do I have to come to a hearing?**

No. The lawyers will answer any questions the judges may have. But, you are welcome to come at your own expense. If you send an objection, you don't have to come to a Court hearing to talk about it. As long as you submit an objection by **August 25, 2006**, it will be considered at the hearing affecting you.

### **33. Which hearing may I attend?**

You may attend any of the hearings. However, if you want to speak you must attend the hearing held at the Court that is in charge of your claims, described in question 31 above.

### **34. May I speak at a hearing?**

You are welcome to go to the hearing affecting you and ask the Court for permission to speak. You may also pay a lawyer to attend and speak for you, but it's not required.

## **EXCLUDING YOURSELF FROM THE SETTLEMENT**

### **35. How do I get out of the settlement?**

Even if the settlement is approved, after the hearings and after considering any objections, you will have an opportunity to exclude yourself and keep any rights you may have to sue over these claims. If the settlement is approved, a follow-up notice will explain how you can do this. If you don't exclude yourself at that point, you will be giving up all legal claims against the Defendants and related people and entities, pertaining to attendance at residential schools (see Question 19 above).

Please note that in Québec the law is different: if you have a current lawsuit for residential school abuse in the Province of Québec, it will have to be discontinued in order to get any payment or benefit from this settlement. Talk to your lawyer as soon as possible. Other people without individual lawsuits pending in Québec will have the same exclusion rights as others in Canada.

## **GETTING MORE INFORMATION**

### **36. How do I get more information?**

This notice summarizes the proposed settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913. You may also write with questions to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.

# Le processus de règlement concernant les pensionnats a commencé. La guérison se poursuit.

*Ceci est un avis autorisé par le tribunal. Il ne s'agit pas d'une sollicitation d'un avocat.*

- Le processus de règlement de la question des pensionnats indiens a commencé. D'abord, les tribunaux de toutes les parties du Canada tiendront des audiences pour déterminer si le règlement est équitable, raisonnable et approprié. Les anciens élèves et leur famille peuvent s'opposer au règlement et demander à prendre la parole durant l'une des audiences. Si tous les tribunaux approuvent le règlement après ces audiences, un autre avis sera diffusé afin d'expliquer comment les gens peuvent obtenir un paiement ou s'exclure du règlement. Le règlement prévoit ce qui suit :
  - un montant d'au moins 1.9 milliard \$ en « paiements pour expérience commune » à l'intention des anciens élèves qui ont vécu dans les pensionnats;
  - un processus qui permet aux personnes qui ont subi des sévices sexuels ou physiques graves et d'autres sévices qui ont eu des effets psychologiques graves d'obtenir entre 5 000 \$ et 275 000 \$ chacune, ou un montant d'argent plus important dans le cas de celles qui ont également subi des pertes de revenus;
  - un montant de 125 millions \$ à la Fondation autochtone de guérison pour les programmes de guérison; un montant de 60 millions \$ pour la divulgation des faits et la réconciliation afin de documenter et de préserver les expériences des anciens élèves; et un montant de 20 millions \$ pour les projets commémoratifs communautaires et nationaux;
  - un montant maximal d'environ 100 millions \$ pour les avocats qui représentent les anciens élèves partout au Canada; et
  - d'autres éléments détaillés dans une Convention de règlement complète que l'on peut se procurer en téléphonant au numéro de téléphone ou en visitant le site Web indiqués ci-dessous.

| <b>VOS OPTIONS ET VOS DROITS LÉGAUX :</b> |   |
|---|---|
| <b>ASSISTEZ À UNE AUDIENCE</b>            | Demandez à prendre la parole devant le tribunal pour parler du règlement.   |
| <b>FAITES OBJECTION</b>                   | Dites au tribunal pourquoi vous vous opposez au règlement.  |
| <b>NE FAITES RIEN</b>                     | Attendez les résultats des audiences.   |
| <b>DROITS FUTURS</b>                      | Si tous les tribunaux approuvent le règlement, un autre avis vous expliquera comment vous pouvez obtenir un paiement ou demander à être exclu du règlement. |

Ces options et ces droits — ainsi que les dates importantes pour les exercer — sont expliqués dans le présent avis.

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## INFORMATIONS DE BASE

### 1. Pourquoi cet avis a-t-il été émis?

Les tribunaux ont autorisé cet avis parce que vous avez le droit de connaître la teneur du règlement proposé des poursuites en recours collectif ainsi que vos options avant que les tribunaux décident d'approuver ou non le règlement. L'avis explique les actions en justice, le règlement et vos droits légaux. Vous avez maintenant le droit de vous opposer au règlement et de prendre la parole lors d'une audience.

Plusieurs tribunaux au Canada, incluant la Cour supérieure du Québec, la Cour supérieure de justice de l'Ontario, la Cour du Banc de la Reine du Manitoba, la Cour du Banc de la Reine de la Saskatchewan, la Cour du Banc de la Reine de l'Alberta, la Cour suprême de la Colombie-Britannique, la Cour suprême du Territoire du Yukon, la Cour de justice du Nunavut et la Cour suprême des Territoires du Nord-Ouest (« tribunaux ») examinent l'ensemble des diverses actions en justice et des poursuites en recours collectif. L'ensemble des actions en justice est connu sous le nom d'*Affaire du litige en recours collectif des pensionnats*.

Les anciens élèves des pensionnats et leur famille sont appelés les « demandeurs » et les entités qu'ils poursuivent sont appelées les « défendeurs ». Les défendeurs incluent le gouvernement du Canada (« gouvernement ») et diverses églises et entités reliées à l'église, incluant le Synode général de l'Église anglicane du Canada, les diocèses de l'Église anglicane du Canada, l'Église presbytérienne du Canada, l'Église unie du Canada, l'Église méthodiste du Canada et diverses entités catholiques (appelées globalement les « Églises »).

### 2. Quel est le but de l'action en justice?

Les pensionnats étaient des établissements d'enseignement pour les enfants autochtones qui ont été exploités à l'échelle du Canada durant plus d'un siècle. Le Canada et les organisations religieuses exploitaient les pensionnats. Des enfants y ont subi des sévices et de mauvais traitements. Diverses actions en justice ont été intentées contre le gouvernement, les Églises et d'autres entités sur la base de l'exploitation et de la gestion des pensionnats au Canada.

### 3. Pourquoi est-ce un recours collectif?

Dans un recours collectif, une ou plusieurs personnes appelées « représentants des membres du groupe » intentent une action en justice au nom de personnes qui ont des réclamations similaires. Toutes ces personnes forment un « groupe ». Les tribunaux décident des questions pour toutes les personnes concernées, sauf celles qui s'excluent elles-mêmes du groupe.

### 4. Pourquoi y a-t-il un règlement?

Les deux parties ont convenu d'un règlement pour éviter des délais, des coûts et les risques associés à des procès. Les représentants des membres du groupe et les avocats qui les représentent estiment que le règlement est ce qu'il y a de mieux pour tous les anciens élèves.

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## QUI EST VISÉ PAR LE RÈGLEMENT

On a estimé qu'environ 80 000 Autochtones toujours vivants sont des anciens élèves du système de pensionnats. Pour savoir si vous êtes admissible à un paiement, vous devez d'abord déterminer si vous y êtes ou non inclus.

### 5. Comment puis-je savoir si je fais partie du groupe visé par le règlement?

Le règlement inclut les anciens élèves des pensionnats reconnus au Canada ainsi que les membres de leur famille. Ceci inclut les Autochtones des Premières nations, les Inuits, les Inuvialuit, les Métis ou les anciens élèves de toute autre communauté. Les personnes qui ont vécu dans ces pensionnats, celles qui les ont fréquentés de jour et les membres de la famille des anciens élèves sont tous visés par le règlement mais peuvent être admissibles à différentes prestations, aussi devez-vous lire cet avis attentivement parce que vos droits légaux peuvent être néanmoins affectés.

### 6. Quels sont les pensionnats inclus?

La liste des résidences d'écoliers et des pensionnats reconnus est disponible à l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca) ou en téléphonant sans frais au 1-866-879-4913. Si vous avez fréquenté un pensionnat qui n'est pas dans la liste, vous voudrez peut-être demander que cette institution soit ajoutée à la liste des pensionnats reconnus. Soumettez le nom du pensionnat si vous pensez qu'il devrait y être ajouté et toute information pertinente le concernant sur le site Web ou en écrivant à l'adresse suivante : Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord, Waterloo, Ontario, N2J 3G9. Le gouvernement fera une recherche au sujet de l'établissement proposé et déterminera s'il doit être ajouté à la liste des pensionnats reconnus. Si le pensionnat que vous suggérez n'est pas ajouté à la liste, vous pouvez en appeler de la décision.

### 7. Que se passe-t-il si je poursuis déjà le gouvernement et/ou les églises?

À l'exception des personnes ayant une action en justice pendante au Québec concernant les pensionnats, vous êtes inclus même si vous avez intenté une action en justice distincte. Lisez attentivement cet avis et discutez-en avec votre avocat aussitôt que possible pour déterminer comment il affecte vos droits de continuer l'action en justice. De plus amples renseignements sur les actions en justice au Québec apparaissent à la Question 35.

### 8. Je ne sais toujours pas avec certitude si je fais partie du groupe visé par le règlement.

Si vous n'êtes pas certain d'y être inclus, vous pouvez téléphoner sans frais au 1-866-879-4913 pour poser vos questions.

## LES PRESTATIONS DU RÈGLEMENT—CE QUE VOUS OBTENEZ

### 9. Que prévoit le règlement?

Le règlement prévoit ce qui suit :

- **Fonds de paiement pour expérience commune (« PEC »)** – Un montant d'au moins 1.9 milliard \$, plus les intérêts, pour les paiements forfaitaires aux anciens élèves qui ont vécu dans l'un des

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pensionnats. Les paiements seront de 10 000 \$ pour la première année (ou une partie d'année) plus 3 000 \$ pour chaque année (ou partie d'année) suivante. S'il n'y a pas suffisamment d'argent dans le Fonds pour payer toutes les réclamations valides, le gouvernement ajoutera de l'argent au Fonds. Toutefois, s'il reste de l'argent dans le Fonds du PEC lorsque toutes les réclamations valides auront été payées, il se produira l'une des deux choses suivantes : (1) si le montant est inférieur à 40 000 000 \$, tout l'argent restant sera versé au Fonds fiduciaire de l'Assemblée des Premières nations et à l'Inuvialuit Education Foundation pour la création de programmes éducatifs destinés à toutes les Premières nations, aux Inuits, aux Inuvialuit et aux peuples Métis; (2) si le montant est supérieur à 40 000 000 \$, les anciens élèves qui soumettent des formulaires de réclamations valides obtiendront une part au prorata de « crédits personnels », et non en argent, jusqu'à concurrence de 3 000 \$. Ces crédits peuvent être utilisés pour des services d'éducation collectifs, familiaux ou personnels. Tout solde demeurant dans le fond du PEC après le paiement des Crédits personnels sera versé au Fonds fiduciaire de l'Assemblée des Premières nations et à l'Inuvialuit Education Foundation pour la création de programmes éducatifs destinés à toutes les Premières nations, aux Inuits, aux Inuvialuit et aux peuples Métis

- **Processus d'évaluation indépendant (« PEI »)** – Un nouveau processus d'évaluation indépendant (remplaçant le Mode alternatif de règlement des conflits qui prendra fin si le règlement est approuvé) permet aux personnes qui ont subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves de se qualifier pour obtenir des indemnités variant entre 5 000 \$ et 275 000 \$ dans chaque cas. De plus, il est possible qu'un montant total maximal de 430 000 \$ soit octroyé aux personnes qui ont également subi des pertes de revenus. Il existe un système de points fondé sur les différents sévices. Plus la personne obtient de points, plus le paiement est élevé. Il existe un processus d'appel que vous pouvez utiliser si vous n'êtes pas d'accord avec le montant qui vous est attribué. Un montant pour soins futurs et une contribution de 15 p. cent du montant total octroyé pour payer les frais juridiques sont également disponibles.
- **Fonds de guérison** – Un montant de 125 millions \$ sera versé à la Fondation autochtone de guérison sur une période de cinq ans pour financer les programmes de guérison destinés aux anciens élèves et à leur famille. Ceci s'ajoute au montant de 390 millions \$ que le gouvernement avait déjà accordé en financement pour créer la Fondation autochtone de guérison pour le bénéfice des anciens élèves toujours vivants et de leur famille ainsi que des anciens élèves décédés.
- **Fonds pour la divulgation des faits et la réconciliation** – Un montant de 60 millions \$ pour rechercher, documenter et préserver les expériences des anciens élèves pour les générations futures.
- **Fonds commémoratif** – Un montant de 20 millions \$ pour les projets commémoratifs communautaires et nationaux.

On peut trouver plus de détails dans un document intitulé Convention de règlement qui est disponible à l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca) ou en téléphonant sans frais au 1-866-879-4913.

## 10. Qui peut obtenir un paiement pour expérience commune (PEC)?

Tout ancien élève qui était vivant le 30 mai 2005 et qui a fréquenté un pensionnat avant le 31 décembre 1997 est admissible à un montant forfaitaire du Fonds du PEC. Vous n'avez pas à prouver que vous avez subi des sévices pour obtenir un PEC.

## 11. Qu'en est-il des anciens élèves qui sont décédés et de leur famille?

Les réclamations au nom d'anciens élèves qui sont décédés récemment seront permises. Plus précisément, tout ancien élève qui était vivant le 30 mai 2005 est admissible à un PEC. De même, tout ancien élève qui a fréquenté le Mohawk Institute Residential Boarding School à Brantford, en Ontario, entre 1922 et 1969 et qui était vivant le 5 octobre 1996 est également admissible à un PEC. Les

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membres de la famille de tout ancien élève d'un pensionnat, sans égard à la date de son décès, pourront profiter des programmes de guérison financés par le règlement.

#### **12. Puis-je obtenir un PEC si j'ai déjà réglé une réclamation pour sévices?**

Oui, même si vous avez déjà gagné, perdu ou réglé une réclamation pour sévices, soit devant un tribunal, soit par une négociation ou encore dans le cadre du processus gouvernemental de Mode alternatif de règlements des conflits (« MARC »), vous êtes toujours admissible à un PEC et il est possible que vous soyez admissible à recevoir un montant additionnel dans le cadre du nouveau PEI.

#### **13. Qu'en est-il de ma réclamation pour sévices dans le processus actuel de MARC?**

Jusqu'à ce que les tribunaux approuvent le règlement, le processus actuel de MARC continuera de recevoir des demandes, de tenir des audiences et d'octroyer des paiements aux anciens élèves pour des sévices physiques, sexuels ou autres inclus dans le cadre du programme. Si le règlement est approuvé par tous les tribunaux, les demandes adressées au processus actuel de MARC prendront fin. Bon nombre de plaignants qui ont fait une demande pour le processus de MARC avant que celui-ci ne prenne fin auront le choix de poursuivre leur démarche dans le processus de MARC ou de passer au PEI lorsque le règlement sera définitif. On peut trouver des informations plus détaillées sur le PEI dans l'Annexe D de la Convention de règlement qui est disponible à l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca) ou en téléphonant sans frais au 1-866-879-4913.

#### **14. Qui est admissible à un processus d'évaluation indépendant (PEI)?**

Si vous avez subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves, vous pouvez être admissible si : a) vous êtes un ancien élève qui a fréquenté et qui a vécu dans un pensionnat ou b) vous avez été invité à participer à une activité scolaire autorisée (alors que vous aviez moins de 21 ans) même si vous ne viviez pas au pensionnat.

#### **15. Puis-je obtenir un PEC si j'ai également déposé une réclamation dans le cadre du PEI?**

Oui.

#### **16. Mes prestations d'aide sociale seront-elles affectées si j'accepte le PEC?**

Le gouvernement collabore avec les gouvernements provinciaux et territoriaux et avec tous les ministères fédéraux pour tenter d'obtenir que tout paiement que vous recevrez n'affectera ni le montant, ni la nature, ni la durée de toute prestation sociale ou d'aide sociale reçue par les anciens élèves.

#### **17. Le PEC sera imposable?**

Non. Le Gouvernement a établi que tous les paiements du PEC ne seront pas imposables.

#### **18. Est-ce que les services de soutien affectif et en santé mentale continueront?**

Oui, le gouvernement continuera de fournir les services existants de soutien affectif et en santé mentale et il convient de rendre ces services disponibles aux bénéficiaires du PEC et aux anciens élèves qui

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règlent une réclamation pour sévices par le biais du PEI de même qu'à ceux qui participent à des projets de divulgation des faits et de réconciliation ou à des projets commémoratifs.

### **19. Que dois-je concéder en échange des prestations du règlement?**

Si le règlement devient définitif, les anciens élèves et les membres de leur famille quitteront les défendeurs et toutes les personnes et entités concernées de toute réclamation juridique découlant de leur fréquentation des pensionnats. Toutes les réclamations « quittancées » sont décrites et identifiées à l'article 11 de la Convention de règlement disponible à l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca) ou en téléphonant sans frais au 1-866-879-4913. La Convention de règlement décrit précisément en termes juridiques les réclamations quittancées et vous devez donc la lire attentivement et en discuter avec un avocat si vous avez des questions concernant les réclamations quittancées ou pour savoir ce que cela signifie. La liste des noms des avocats qui participent au règlement est publiée à l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca).

## **COMMENT OBTENIR UN PAIEMENT**

### **20. Comment puis-je obtenir un paiement?**

Le traitement des réclamations n'a pas encore débuté. Si les tribunaux approuvent le règlement, et seulement après, vous pourrez faire une demande pour obtenir un paiement. Un avis subséquent de suivi vous expliquera comment procéder.

### **21. Quand obtiendrai-je un paiement?**

Si les tribunaux approuvent le règlement (*voir* « Les audiences des tribunaux pour approuver le règlement » ci-dessous), il y aura un délai de plusieurs mois pour permettre aux personnes qui le désirent de s'exclure elles-mêmes du règlement. Puis les gens pourront faire une demande de paiement et les paiements seront effectués si les tribunaux approuvent le règlement et après que tous les appels auront été réglés. Veuillez être patient.

### **22. Qu'en est-il des paiements anticipés pour les personnes âgées?**

Tous les anciens élèves des pensionnats admissibles, âgés de 65 ans et plus en date du 30 mai 2005, pourront demander un paiement anticipé de 8 000 \$ jusqu'au 31 décembre 2006. On peut se procurer le formulaire de demande de paiement anticipé en téléphonant sans frais au 1-800-816-7293 ou en visitant le site Web [www.irsr-rqpi.gc.ca](http://www.irsr-rqpi.gc.ca).

## **LES AVOCATS**

### **23. Suis-je représenté par un avocat dans le dossier?**

Si vous n'avez pas déjà votre propre avocat, le site Web comprend la liste des bureaux d'avocats qui ont signé la Convention et ils représentent les anciens élèves et les membres de leur famille. Si vous le désirez, vous pouvez communiquer avec l'un des avocats inscrits sur la liste pour avoir des conseils ou vous pouvez retenir les services de tout autre avocat.

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## **24. Devrai-je payer un avocat pour obtenir un PEC?**

Vous n'avez pas à retenir les services d'un avocat ni à payer un avocat pour soumettre une réclamation dans le but d'obtenir un paiement pour expérience commune. Toutefois, si vous reprenez les services d'un avocat, ou si vous l'avez déjà fait, vous devriez lui demander s'il vous aidera à obtenir un PEC sans vous facturer d'honoraires pour ce travail.

## **25. Comment les avocats seront-ils payés?**

Le gouvernement paiera tous les avocats listés dans le site Web jusqu'à un montant total d'environ 100 millions \$ en honoraires, plus les frais et les taxes, pour leur travail de représentation des anciens élèves, incluant leur travail relatif aux actions en justice et aux négociations pour le règlement. Les frais, les coûts et les taxes attribués par les tribunaux ne réduiront pas le montant d'argent disponible pour les anciens élèves.

## **26. Devrai-je payer un avocat pour obtenir un paiement du PEI?**

Vous pouvez retenir les services d'un avocat pour vous représenter dans le cas d'une réclamation pour sévices graves. Le PEI est nécessairement complexe et il est utile d'avoir un avocat qui travaille en votre nom pour vous aider à obtenir le paiement auquel vous pouvez être admissible. Les avocats, qui peuvent inclure les mêmes avocats que ceux qui font partie de la liste dans le site Web, vous factureront des honoraires additionnels pour tout paiement du PEI qu'ils obtiendront pour vous. Si vous êtes représenté par un avocat, le paiement du PEI sera ajusté par le gouvernement afin de fournir un supplément de 15 p. cent en contribution aux honoraires qu'un avocat pourrait vous facturer mais vous devrez payer vous-mêmes tout montant excédent.

## **POUR S'OBJECTER AU RÈGLEMENT**

Vous pouvez dire aux tribunaux que vous n'êtes pas d'accord avec le règlement ou certaines de ses parties.

## **27. Comment puis-je dire au tribunal que je m'oppose au règlement?**

Vous pouvez présenter une objection au règlement si vous êtes en désaccord avec une partie du règlement. Pour faire une objection, vous devez écrire au Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord, Waterloo, Ontario N2J 3G9, téléphoner sans frais au 1-866-879-4913 ou envoyer un courriel à l'adresse [objections@reglementpensionnatsindiens.ca](mailto:objections@reglementpensionnatsindiens.ca) avant le **25 août 2006**. Assurez-vous de bien expliquer les raisons pour lesquelles vous êtes en désaccord avec le règlement et d'inclure votre nom, le ou les pensionnats que vous avez fréquentés, votre adresse et votre numéro de téléphone. Dites-nous si vous avez un avocat, son nom le cas échéant, et si vous prévoyez venir prendre la parole au cours de l'audience qui vous concerne.

## **28. Ai-je besoin d'un avocat pour présenter une objection?**

Vous pouvez présenter une objection sans payer les services d'un avocat. Si vous voulez être représenté par votre propre avocat, vous pouvez retenir ses services à vos propres frais.

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## 29. Si je présente une objection, puis-je quand même obtenir un paiement ultérieurement?

Oui. Si vous présentez une objection mais que le règlement est approuvé, vous pourrez toujours faire une demande de paiement, à la condition de ne pas vous exclure (*voir* « Vous exclure du règlement », ci-dessous).

## LES AUDIENCES DES TRIBUNAUX POUR APPROUVER LE RÈGLEMENT

Les tribunaux tiendront des audiences pour décider s'ils approuvent le règlement. Vous pouvez y assister et vous pouvez demander de prendre la parole mais vous n'êtes pas obligé de le faire.

## 30. Comment les tribunaux décideront-ils s'il faut ou non approuver le règlement?

Neuf tribunaux différents tiendront des audiences selon le calendrier indiqué ci-dessous pour décider s'ils approuvent ou non le règlement. Lors des audiences, les tribunaux détermineront si le règlement est équitable, raisonnable et approprié. Si des objections sont présentées, les tribunaux les examineront lors des audiences. Tous les tribunaux doivent décider d'approuver le règlement avant que le règlement ne devienne définitif. Nous ignorons combien de temps il faudra pour rendre ces décisions.

| AUDIENCE                  | LIEU  | DATE DE L'AUDIENCE   | HEURE  |
|---------------------------|---|----------------------|--------|
| Ontario                   | Cour supérieure de justice de l'Ontario<br>Palais de justice<br>361, avenue University<br>Toronto, ON M5G 1T3 | 29-31 août 2006      | 10 h   |
| Québec                    | Cour supérieure du Québec<br>Palais de justice<br>1, rue Notre-Dame E.<br>Montréal, QC H2Y 1B6                | 8 septembre 2006     | 9 h 30 |
| Saskatchewan              | Cour du Banc de la Reine<br>Palais de justice<br>2425, avenue Victoria<br>Regina, SK S4P 3V7                  | 18-20 septembre 2006 | 10 h   |
| Territoires du Nord-Ouest | Palais de justice<br>4903 – 49 <sup>ème</sup> rue<br>Yellowknife, Territoires du Nord-Ouest<br>X1A 2N4        | 3-4 octobre 2006     | 10 h   |
| Manitoba                  | Cour du Banc de la Reine<br>Édifice du Palais de justice<br>408, avenue York<br>Winnipeg, MB R3C 0P9          | 5-6 octobre 2006     | 10 h   |
| Nunavut                   | Cour de justice du Nunavut<br>Centre de justice du Nunavut (Édifice<br>#510)<br>Iqaluit, Nunavut X0A 0H0      | 10-11 octobre 2006   | 9 h 30 |
| Colombie-Britannique      | Cour suprême de la Colombie-Britannique<br>Palais de justice<br>800, rue Smithe<br>Vancouver, C.-B. V6Z 2E1   | 10-12 octobre 2006   | 10 h   |

**QUESTIONS? APPELEZ SANS FRAIS AU 1-866-879-4913 OU VISITEZ LE SITE WEB  
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|         |   |                    |      |
|---------|---|--------------------|------|
| Alberta | Cour du Banc de la Reine<br>Palais de justice<br>611 – 4 <sup>ième</sup> rue S.O.<br>C.P. 2549 Station « M »<br>Calgary, AB T2P 1T5 | 12-13 octobre 2006 | 10 h |
| Yukon   | Cour suprême du territoire du Yukon<br>2134, avenue Second<br>Whitehorse, Yukon Y1A 5H6   | 16-17 octobre 2006 | 10 h |

### 31. Quelles sont les audiences qui me concernent?

L'audience du tribunal qui vous concerne est celle de l'endroit où vous vivez actuellement et non pas celle du lieu du pensionnat que vous avez fréquenté, sauf dans un cas : si vous avez fréquenté le Mohawk Institute Residential Boarding School à Brantford, en Ontario, l'audience tenue en Ontario vous concerne, peu importe où vous vivez actuellement. De plus, pour réduire le nombre d'audiences, la Cour de l'Ontario examinera également les réclamations de personnes vivant ailleurs :

| VOTRE LIEU DE RÉSIDENCE   | L'AUDIENCE DU TRIBUNAL QUI VOUS CONCERNE |
|---------------------------|--|
| Labrador                  | Ontario                                  |
| Nouveau-Brunswick         | Ontario                                  |
| Terre-Neuve               | Ontario                                  |
| Nouvelle-Écosse           | Ontario                                  |
| Ontario                   | Ontario                                  |
| À l'extérieur du Canada   | Ontario                                  |
| Île-du-Prince-Édouard     | Ontario                                  |
| Québec                    | Québec                                   |
| Territoires du Nord-Ouest | Territoires du Nord-Ouest                |
| Nunavut                   | Nunavut                                  |
| Yukon                     | Yukon                                    |
| Alberta                   | Alberta                                  |
| Manitoba                  | Manitoba                                 |
| Saskatchewan              | Saskatchewan                             |
| Colombie-Britannique      | Colombie-Britannique                     |

### 32. Dois-je assister à une audience?

Non. Les avocats répondront à toutes les questions que les juges pourraient poser. Vous êtes cependant invité à y assister mais à vos propres frais. Si vous envoyez une objection, vous n'êtes pas obligé d'assister à une audience du tribunal pour en parler. À la condition que vous présentiez une objection d'ici le **25 août 2006**, elle sera examinée lors de l'audience qui vous concerne.

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### **33. À quelle audience puis-je assister?**

Vous pouvez assister à toutes les audiences. Toutefois, si vous désirez prendre la parole, vous devez assister à l'audience tenue par le tribunal chargé de vos revendications, comme l'indique le tableau de la question 31 ci-dessus.

### **34. Puis-je prendre la parole durant une audience?**

Vous êtes invité à vous rendre à l'audience qui vous concerne et à demander au tribunal la permission de prendre la parole. Vous pouvez également payer les services d'un avocat pour y assister et prendre la parole en votre nom mais cela n'est pas nécessaire.

## **VOUS EXCLURE DU RÈGLEMENT**

### **35. Comment puis-je m'exclure du règlement?**

Même si le règlement est approuvé, après que les audiences auront été tenues et que toutes les objections auront été prises en considération, vous aurez la possibilité de vous exclure et de conserver tous les droits que vous pourriez détenir de poursuivre les défendeurs dans le cadre de vos revendications. Si le règlement est approuvé, un avis subséquent vous expliquera comment le faire. Si vous ne vous excluez pas à ce moment, vous renoncez à toute réclamation juridique contre les défendeurs ainsi que les personnes et les entités concernées découlant de la fréquentation des pensionnats (*voir* la Question 19 ci-dessus).

Veillez noter qu'au Québec, la loi est différente : si vous avez déjà une action individuelle pendante devant un tribunal du Québec pour des sévices subis dans un pensionnat, vous devez vous désister de cette action pour obtenir un paiement ou des prestations en vertu du règlement. Discutez-en avec votre avocat le plus tôt possible. Les autres personnes qui ne sont pas engagées dans une action individuelle pendante au Québec jouiront des mêmes droits d'exclusion que les personnes ailleurs au Canada.

## **POUR OBTENIR DE PLUS AMPLES RENSEIGNEMENTS**

### **36. Comment puis-je obtenir de plus amples renseignements?**

Le présent avis résume le règlement proposé. On peut trouver de plus amples détails à ce sujet dans la Convention de règlement. Vous pouvez obtenir une copie de la Convention de règlement à l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca) ou en téléphonant sans frais au 1-866-879-4913. Vous pouvez également poser vos questions en écrivant au Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord, Waterloo, Ontario, N2J 3G9.

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# **Le processus de règlement concernant les pensionnats a commencé. La guérison se poursuit.**

*Ceci est un avis autorisé par le tribunal. Il ne s'agit pas d'une sollicitation d'un avocat.*

- Le processus de règlement de la question des pensionnats a commencé. D'abord, les tribunaux de toutes les parties du Canada tiendront des audiences pour déterminer si le règlement est équitable, raisonnable et approprié. Les anciens élèves et leur famille peuvent s'opposer au règlement et demander à prendre la parole durant l'une des audiences. Si tous les tribunaux approuvent le règlement après ces audiences, un autre avis sera diffusé afin d'expliquer comment les gens peuvent obtenir un paiement ou s'exclure du règlement. Le règlement prévoit ce qui suit :
  - un montant d'au moins 1.9 milliard \$ en « paiements pour expérience commune » à l'intention des anciens élèves qui ont vécu dans les pensionnats;
  - un processus qui permet aux personnes qui ont subi des sévices sexuels ou physiques graves et d'autres sévices qui ont eu des effets psychologiques graves d'obtenir entre 5 000 \$ et 275 000 \$ chacune, ou un montant d'argent plus important dans le cas de celles qui ont également subi des pertes de revenus;
  - un montant de 125 millions \$ à la Fondation autochtone de guérison pour les programmes de guérison; un montant de 60 millions \$ pour la divulgation des faits et la réconciliation afin de documenter et de préserver les expériences des anciens élèves; et un montant de 20 millions \$ pour les projets commémoratifs communautaires et nationaux;
  - un montant maximal d'environ 100 millions \$ pour les avocats qui représentent les anciens élèves partout au Canada; et
  - d'autres éléments détaillés dans une Convention de règlement complète que l'on peut se procurer en téléphonant au numéro de téléphone ou en visitant le site Web indiqués ci-dessous.

| <b>VOS OPTIONS ET VOS DROITS LÉGAUX :</b> |   |
|---|---|
| <b>ASSISTEZ À UNE AUDIENCE</b>            | Demandez à prendre la parole devant le tribunal pour parler du règlement.   |
| <b>FAITES OBJECTION</b>                   | Dites au tribunal pourquoi vous vous opposez au règlement.  |
| <b>NE FAITES RIEN</b>                     | Attendez les résultats des audiences.   |
| <b>DROITS FUTURS</b>                      | Si tous les tribunaux approuvent le règlement, un autre avis vous expliquera comment vous pouvez obtenir un paiement ou demander à être exclu du règlement. |

Ces options et ces droits — ainsi que les dates importantes pour les exercer — sont expliqués dans le présent avis.

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36. Comment puis-je obtenir de plus amples renseignements?

## INFORMATIONS DE BASE

### 1. Pourquoi cet avis a-t-il été émis?

Les tribunaux ont autorisé cet avis parce que vous avez le droit de connaître la teneur du règlement proposé des poursuites en recours collectif ainsi que vos options avant que les tribunaux décident d'approuver ou non le règlement. L'avis explique les actions en justice, le règlement et vos droits légaux. Vous avez maintenant le droit de vous opposer au règlement et de prendre la parole lors d'une audience.

Plusieurs tribunaux au Canada, incluant la Cour supérieure du Québec, la Cour supérieure de justice de l'Ontario, la Cour du Banc de la Reine du Manitoba, la Cour du Banc de la Reine de la Saskatchewan, la Cour du Banc de la Reine de l'Alberta, la Cour suprême de la Colombie-Britannique, la Cour suprême du Territoire du Yukon, la Cour de justice du Nunavut et la Cour suprême des Territoires du Nord-Ouest (« tribunaux ») examinent l'ensemble des diverses actions en justice et des poursuites en recours collectif. L'ensemble des actions en justice est connu sous le nom d'*Affaire du litige en recours collectif des pensionnats*.

Les anciens élèves des pensionnats et leur famille sont appelés les « demandeurs » et les entités qu'ils poursuivent sont appelées les « défendeurs ». Les défendeurs incluent le gouvernement du Canada (« gouvernement ») et diverses églises et entités reliées à l'église, incluant le Synode général de l'Église anglicane du Canada, les diocèses de l'Église anglicane du Canada, l'Église presbytérienne du Canada, l'Église unie du Canada, l'Église méthodiste du Canada et diverses entités catholiques (appelées globalement les « Églises »).

### 2. Quel est le but de l'action en justice?

Les pensionnats étaient des établissements d'enseignement pour les enfants autochtones qui ont été exploités à l'échelle du Canada durant plus d'un siècle. Le Canada et les organisations religieuses exploitaient les pensionnats. Des enfants y ont subi des sévices et de mauvais traitements. Diverses actions en justice ont été intentées contre le gouvernement, les Églises et d'autres entités sur la base de l'exploitation et de la gestion des pensionnats au Canada.

### 3. Pourquoi est-ce un recours collectif?

Dans un recours collectif, une ou plusieurs personnes appelées « représentants des membres du groupe » intentent une action en justice au nom de personnes qui ont des réclamations similaires. Toutes ces personnes forment un « groupe ». Les tribunaux décident des questions pour toutes les personnes concernées, sauf celles qui s'excluent elles-mêmes du groupe.

### 4. Pourquoi y a-t-il un règlement?

Les deux parties ont convenu d'un règlement pour éviter des délais, des coûts et les risques associés à des procès. Les représentants des membres du groupe et les avocats qui les représentent estiment que le règlement est ce qu'il y a de mieux pour tous les anciens élèves.

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## QUI EST VISÉ PAR LE RÈGLEMENT

On a estimé qu'environ 80 000 Autochtones toujours vivants sont des anciens élèves du système de pensionnats. Pour savoir si vous êtes admissible à un paiement, vous devez d'abord déterminer si vous y êtes ou non inclus.

### 5. Comment puis-je savoir si je fais partie du groupe visé par le règlement?

Le règlement inclut les anciens élèves des pensionnats reconnus au Canada ainsi que les membres de leur famille. Ceci inclut les Autochtones des Premières nations, les Inuits, les Inuvialuit, les Métis ou les anciens élèves de toute autre communauté. Les personnes qui ont vécu dans ces pensionnats, celles qui les ont fréquentés de jour et les membres de la famille des anciens élèves sont tous visés par le règlement mais peuvent être admissibles à différentes prestations, aussi devez-vous lire cet avis attentivement parce que vos droits légaux peuvent être néanmoins affectés.

### 6. Quels sont les pensionnats inclus?

La liste des résidences d'écoliers et des pensionnats reconnus est disponible à l'adresse [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) ou en téléphonant sans frais au 1-866-879-4913. Si vous avez fréquenté un pensionnat qui n'est pas dans la liste, vous voudrez peut-être demander que cette institution soit ajoutée à la liste des pensionnats reconnus. Soumettez le nom du pensionnat si vous pensez qu'il devrait y être ajouté et toute information pertinente le concernant sur le site Web ou en écrivant à l'adresse suivante : Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord, Waterloo, Ontario, N2J 3G9. Le gouvernement fera une recherche au sujet de l'établissement proposé et déterminera s'il doit être ajouté à la liste des pensionnats reconnus. Si le pensionnat que vous suggérez n'est pas ajouté à la liste, vous pouvez en appeler de la décision

### 7. Que se passe-t-il si je poursuis déjà le gouvernement et/ou les églises?

À l'exception des personnes ayant une action en justice pendante au Québec concernant les pensionnats, vous êtes inclus même si vous avez intenté une action en justice distincte. Lisez attentivement cet avis et discutez-en avec votre avocat aussitôt que possible pour déterminer comment il affecte vos droits de continuer l'action en justice. De plus amples renseignements sur les actions en justice au Québec apparaissent à la Question 35.

### 8. Je ne sais toujours pas avec certitude si je fais partie du groupe visé par le règlement.

Si vous n'êtes pas certain d'y être inclus, vous pouvez téléphoner sans frais au 1-866-879-4913 pour poser vos questions.

## LES PRESTATIONS DU RÈGLEMENT—CE QUE VOUS OBTENEZ

### 9. Que prévoit le règlement?

Le règlement prévoit ce qui suit :

- **Fonds de paiement pour expérience commune (« PEC »)** – Un montant d'au moins 1.9 milliard \$, plus les intérêts, pour les paiements forfaitaires aux anciens élèves qui ont vécu dans l'un des

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pensionnats. Les paiements seront de 10 000 \$ pour la première année (ou une partie d'année) plus 3 000 \$ pour chaque année (ou partie d'année) suivante. S'il n'y a pas suffisamment d'argent dans le Fonds pour payer toutes les réclamations valides, le gouvernement ajoutera de l'argent au Fonds. Toutefois, s'il reste de l'argent dans le Fonds du PEC lorsque toutes les réclamations valides auront été payées, il se produira l'une des deux choses suivantes : (1) si le montant est inférieur à 40 000 000 \$, tout l'argent restant sera versé au Fonds fiduciaire de l'Assemblée des Premières nations et à l'Inuvialuit Education Foundation pour la création de programmes éducatifs destinés à toutes les Premières nations, aux Inuits, aux Inuvialuit et aux peuples Métis; (2) si le montant est supérieur à 40 000 000 \$, les anciens élèves qui soumettent des formulaires de réclamations valides obtiendront une part au prorata de « crédits personnels », et non en argent, jusqu'à concurrence de 3 000 \$. Ces crédits peuvent être utilisés pour des services d'éducation collectifs, familiaux ou personnels. Tout solde demeurant dans le fond du PEC après le paiement des Crédits personnels sera versé au Fonds fiduciaire de l'Assemblée des Premières nations et à l'Inuvialuit Education Foundation pour la création de programmes éducatifs destinés à toutes les Premières nations, aux Inuits, aux Inuvialuit et aux peuples Métis

- **Processus d'évaluation indépendant (« PEI »)** – Un nouveau processus d'évaluation indépendant (remplaçant le Mode alternatif de règlement des conflits qui prendra fin si le règlement est approuvé) permet aux personnes qui ont subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves de se qualifier pour obtenir des indemnités variant entre 5 000 \$ et 275 000 \$ dans chaque cas. De plus, il est possible qu'un montant total maximal de 430 000 \$ soit octroyé aux personnes qui ont également subi des pertes de revenus. Il existe un système de points fondé sur les différents sévices. Plus la personne obtient de points, plus le paiement est élevé. Il existe un processus d'appel que vous pouvez utiliser si vous n'êtes pas d'accord avec le montant qui vous est attribué. Un montant pour soins futurs et une contribution de 15 p. cent du montant total octroyé pour payer les frais juridiques sont également disponibles.
- **Fonds de guérison** – Un montant de 125 millions \$ sera versé à la Fondation autochtone de guérison sur une période de cinq ans pour financer les programmes de guérison destinés aux anciens élèves et à leur famille. Ceci s'ajoute au montant de 390 millions \$ que le gouvernement avait déjà accordé en financement pour créer la Fondation autochtone de guérison pour le bénéfice des anciens élèves toujours vivants et de leur famille ainsi que des anciens élèves décédés.
- **Fonds pour la divulgation des faits et la réconciliation** – Un montant de 60 millions \$ pour rechercher, documenter et préserver les expériences des anciens élèves pour les générations futures.
- **Fonds commémoratif** – Un montant de 20 millions \$ pour les projets commémoratifs communautaires et nationaux.

On peut trouver plus de détails dans un document intitulé Convention de règlement qui est disponible à l'adresse [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) ou en téléphonant sans frais au 1-866-879-4913.

## 10. Qui peut obtenir un paiement pour expérience commune (PEC)?

Tout ancien élève qui était vivant le 30 mai 2005 et qui a fréquenté un pensionnat avant le 31 décembre 1997 est admissible à un montant forfaitaire du Fonds du PEC. Vous n'avez pas à prouver que vous avez subi des sévices pour obtenir un PEC.

## 11. Qu'en est-il des anciens élèves qui sont décédés et de leur famille?

Les réclamations au nom d'anciens élèves qui sont décédés récemment seront permises. Plus précisément, tout ancien élève qui était vivant le 30 mai 2005 est admissible à un PEC. De même, tout ancien élève qui a fréquenté le Mohawk Institute Residential Boarding School à Brantford, en Ontario, entre 1922 et 1969 et qui était vivant le 5 octobre 1996 est également admissible à un PEC. Les

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membres de la famille de tout ancien élève d'un pensionnat, sans égard à la date de son décès, pourront profiter des programmes de guérison financés par le règlement.

### **12. Puis-je obtenir un PEC si j'ai déjà réglé une réclamation pour sévices?**

Oui, même si vous avez déjà gagné, perdu ou réglé une réclamation pour sévices, soit devant un tribunal, soit par une négociation ou encore dans le cadre du processus gouvernemental de Mode alternatif de règlements des conflits (« MARC »), vous êtes toujours admissible à un PEC et il est possible que vous soyez admissible à recevoir un montant additionnel dans le cadre du nouveau PEI.

### **13. Qu'en est-il de ma réclamation pour sévices dans le processus actuel de MARC?**

Jusqu'à ce que les tribunaux approuvent le règlement, le processus actuel de MARC continuera de recevoir des demandes, de tenir des audiences et d'octroyer des paiements aux anciens élèves pour des sévices physiques, sexuels ou autres inclus dans le cadre du programme. Si le règlement est approuvé par tous les tribunaux, les demandes adressées au processus actuel de MARC prendront fin. Bon nombre de plaignants qui ont fait une demande pour le processus de MARC avant que celui-ci ne prenne fin auront le choix de poursuivre leur démarche dans le processus de MARC ou de passer au PEI lorsque le règlement sera définitif. On peut trouver des informations plus détaillées sur le PEI dans l'Annexe D de la Convention de règlement qui est disponible à l'adresse [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) ou en téléphonant sans frais au 1-866-879-4913.

### **14. Qui est admissible à un processus d'évaluation indépendant (PEI)?**

Si vous avez subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves, vous pouvez être admissible si : a) vous êtes un ancien élève qui a fréquenté et qui a vécu dans un pensionnat ou b) vous avez été invité à participer à une activité scolaire autorisée (alors que vous aviez moins de 21 ans) même si vous ne viviez pas au pensionnat.

### **15. Puis-je obtenir un PEC si j'ai également déposé une réclamation dans le cadre du PEI?**

Oui.

### **16. Mes prestations d'aide sociale seront-elles affectées si j'accepte le PEC?**

Le gouvernement collabore avec les gouvernements provinciaux et territoriaux et avec tous les ministères fédéraux pour tenter d'obtenir que tout paiement que vous recevrez n'affectera ni le montant, ni la nature, ni la durée de toute prestation sociale ou d'aide sociale reçue par les anciens élèves.

### **17. Le PEC sera imposable?**

Non. Le Gouvernement a établi que tous les paiements du PEC ne seront pas imposables.

### **18. Est-ce que les services de soutien affectif et en santé mentale continueront?**

Oui, le gouvernement continuera de fournir les services existants de soutien affectif et en santé mentale et il convient de rendre ces services disponibles aux bénéficiaires du PEC et aux anciens élèves qui

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règlent une réclamation pour sévices par le biais du PEI de même qu'à ceux qui participent à des projets de divulgation des faits et de réconciliation ou à des projets commémoratifs.

### **19. Que dois-je concéder en échange des prestations du règlement?**

Si le règlement devient définitif, les anciens élèves et les membres de leur famille quitteront les défendeurs et toutes les personnes et entités concernées de toute réclamation juridique découlant de leur fréquentation des pensionnats. Toutes les réclamations « quittancées » sont décrites et identifiées à l'article 11 de la Convention de règlement disponible à l'adresse [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) ou en téléphonant sans frais au 1-866-879-4913. La Convention de règlement décrit précisément en termes juridiques les réclamations quittancées et vous devez donc la lire attentivement et en discuter avec un avocat si vous avez des questions concernant les réclamations quittancées ou pour savoir ce que cela signifie. La liste des noms des avocats qui participent au règlement est publiée à l'adresse [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

## **COMMENT OBTENIR UN PAIEMENT**

### **20. Comment puis-je obtenir un paiement?**

Le traitement des réclamations n'a pas encore débuté. Si les tribunaux approuvent le règlement, et seulement après, vous pourrez faire une demande pour obtenir un paiement. Un avis subséquent de suivi vous expliquera comment procéder.

### **21. Quand obtiendrai-je un paiement?**

Si les tribunaux approuvent le règlement (*voir* « Les audiences des tribunaux pour approuver le règlement » ci-dessous), il y aura un délai de plusieurs mois pour permettre aux personnes qui le désirent de s'exclure elles-mêmes du règlement. Puis les gens pourront faire une demande de paiement et les paiements seront effectués si les tribunaux approuvent le règlement et après que tous les appels auront été réglés. Veuillez être patient.

### **22. Qu'en est-il des paiements anticipés pour les personnes âgées?**

Tous les anciens élèves des pensionnats admissibles, âgés de 65 ans et plus en date du 30 mai 2005, pourront demander un paiement anticipé de 8 000 \$ jusqu'au 31 décembre 2006. On peut se procurer le formulaire de demande de paiement anticipé en téléphonant sans frais au 1-800-816-7293 ou en visitant le site Web [www.irsr-rqpi.qc.ca](http://www.irsr-rqpi.qc.ca).

## **LES AVOCATS**

### **23. Suis-je représenté par un avocat dans le dossier?**

Si vous n'avez pas déjà votre propre avocat, le site Web comprend la liste des bureaux d'avocats qui ont signé la Convention et ils représentent les anciens élèves et les membres de leur famille. Si vous le désirez, vous pouvez communiquer avec l'un des avocats inscrits sur la liste pour avoir des conseils ou vous pouvez retenir les services de tout autre avocat.

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#### **24. Devrai-je payer un avocat pour obtenir un PEC?**

Vous n'avez pas à retenir les services d'un avocat ni à payer un avocat pour soumettre une réclamation dans le but d'obtenir un paiement pour expérience commune. Toutefois, si vous reprenez les services d'un avocat, ou si vous l'avez déjà fait, vous devriez lui demander s'il vous aidera à obtenir un PEC sans vous facturer d'honoraires pour ce travail.

#### **25. Comment les avocats seront-ils payés?**

Le gouvernement paiera tous les avocats listés dans le site Web jusqu'à un montant total d'environ 100 millions \$ en honoraires, plus les frais et les taxes, pour leur travail de représentation des anciens élèves, incluant leur travail relatif aux actions en justice et aux négociations pour le règlement. Les frais, les coûts et les taxes attribués par les tribunaux ne réduiront pas le montant d'argent disponible pour les anciens élèves.

#### **26. Devrai-je payer un avocat pour obtenir un paiement du PEI?**

Vous pouvez retenir les services d'un avocat pour vous représenter dans le cas d'une réclamation pour sévices graves. Le PEI est nécessairement complexe et il est utile d'avoir un avocat qui travaille en votre nom pour vous aider à obtenir le paiement auquel vous pouvez être admissible. Les avocats, qui peuvent inclure les mêmes avocats que ceux qui font partie de la liste dans le site Web, vous factureront des honoraires additionnels pour tout paiement du PEI qu'ils obtiendront pour vous. Si vous êtes représenté par un avocat, le paiement du PEI sera ajusté par le gouvernement afin de fournir un supplément de 15 p. cent en contribution aux honoraires qu'un avocat pourrait vous facturer mais vous devrez payer vous-mêmes tout montant excédent.

### **POUR S'OBJECTER AU RÈGLEMENT**

Vous pouvez dire aux tribunaux que vous n'êtes pas d'accord avec le règlement ou certaines de ses parties.

#### **27. Comment puis-je dire au tribunal que je m'oppose au règlement?**

Vous pouvez présenter une objection au règlement si vous êtes en désaccord avec une partie du règlement. Pour faire une objection, vous devez écrire au Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord, Waterloo, Ontario N2J 3G9, téléphoner sans frais au 1-866-879-4913 ou envoyer un courriel à l'adresse [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca) avant le **25 août 2006**. Assurez-vous de bien expliquer les raisons pour lesquelles vous êtes en désaccord avec le règlement et d'inclure votre nom, le ou les pensionnats que vous avez fréquentés, votre adresse et votre numéro de téléphone. Dites-nous si vous avez un avocat, son nom le cas échéant, et si vous prévoyez venir prendre la parole au cours de l'audience qui vous concerne.

#### **28. Ai-je besoin d'un avocat pour présenter une objection?**

Vous pouvez présenter une objection sans payer les services d'un avocat. Si vous voulez être représenté par votre propre avocat, vous pouvez retenir ses services à vos propres frais.

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## 29. Si je présente une objection, puis-je quand même obtenir un paiement ultérieurement?

Oui. Si vous présentez une objection mais que le règlement est approuvé, vous pourrez toujours faire une demande de paiement, à la condition de ne pas vous exclure (*voir* « Vous exclure du règlement », ci-dessous).

## LES AUDIENCES DES TRIBUNAUX POUR APPROUVER LE RÈGLEMENT

Les tribunaux tiendront des audiences pour décider s'ils approuvent le règlement. Vous pouvez y assister et vous pouvez demander de prendre la parole mais vous n'êtes pas obligé de le faire.

## 30. Comment les tribunaux décideront-ils s'il faut ou non approuver le règlement?

Neuf tribunaux différents tiendront des audiences selon le calendrier indiqué ci-dessous pour décider s'ils approuvent ou non le règlement. Lors des audiences, les tribunaux détermineront si le règlement est équitable, raisonnable et approprié. Si des objections sont présentées, les tribunaux les examineront lors des audiences. Tous les tribunaux doivent décider d'approuver le règlement avant que le règlement ne devienne définitif. Nous ignorons combien de temps il faudra pour rendre ces décisions.

| AUDIENCE                  | LIEU  | DATE DE L'AUDIENCE   | HEURE  |
|---------------------------|---|----------------------|--------|
| Ontario                   | Cour supérieure de justice de l'Ontario<br>Palais de justice<br>361, avenue University<br>Toronto, ON M5G 1T3 | 29-31 août 2006      | 10 h   |
| Québec                    | Cour supérieure du Québec<br>Palais de justice<br>1, rue Notre-Dame E.<br>Montréal, QC H2Y 1B6                | 8 septembre 2006     | 9 h 30 |
| Saskatchewan              | Cour du Banc de la Reine<br>Palais de justice<br>2425, avenue Victoria<br>Regina, SK S4P 3V7                  | 18-20 septembre 2006 | 10 h   |
| Territoires du Nord-Ouest | Palais de justice<br>4903 – 49 <sup>ème</sup> rue<br>Yellowknife, Territoires du Nord-Ouest<br>X1A 2N4        | 3-4 octobre 2006     | 10 h   |
| Manitoba                  | Cour du Banc de la Reine<br>Édifice du Palais de justice<br>408, avenue York<br>Winnipeg, MB R3C 0P9          | 5-6 octobre 2006     | 10 h   |
| Nunavut                   | Cour de justice du Nunavut<br>Centre de justice du Nunavut (Édifice<br>#510)<br>Iqaluit, Nunavut X0A 0H0      | 10-11 octobre 2006   | 9 h 30 |
| Colombie-Britannique      | Cour suprême de la Colombie-Britannique<br>Palais de justice<br>800, rue Smithe<br>Vancouver, C.-B. V6Z 2E1   | 10-12 octobre 2006   | 10 h   |

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|         |  |                    |      |
|---------|--|--------------------|------|
| Alberta | Cour du Banc de la Reine<br>Palais de justice<br>611 – 4 <sup>ième</sup> rue S.O.<br>C.P. 2549 Station « M »'<br>Calgary, AB T2P 1T5 | 12-13 octobre 2006 | 10 h |
| Yukon   | Cour suprême du territoire du Yukon<br>2134, avenue Second<br>Whitehorse, Yukon Y1A 5H6  | 16-17 octobre 2006 | 10 h |

### 31. Quelles sont les audiences qui me concernent?

L'audience du tribunal qui vous concerne est celle de l'endroit où vous vivez actuellement et non pas celle du lieu du pensionnat que vous avez fréquenté, sauf dans un cas : si vous avez fréquenté le Mohawk Institute Residential Boarding School à Brantford, en Ontario, l'audience tenue en Ontario vous concerne, peu importe où vous vivez actuellement. De plus, pour réduire le nombre d'audiences, la Cour de l'Ontario examinera également les réclamations de personnes vivant ailleurs :

| VOTRE LIEU DE RÉSIDENCE   | L'AUDIENCE DU TRIBUNAL QUI VOUS CONCERNE |
|---------------------------|--|
| Labrador                  | Ontario                                  |
| Nouveau-Brunswick         | Ontario                                  |
| Terre-Neuve               | Ontario                                  |
| Nouvelle-Écosse           | Ontario                                  |
| Ontario                   | Ontario                                  |
| À l'extérieur du Canada   | Ontario                                  |
| Île-du-Prince-Édouard     | Ontario                                  |
| Québec                    | Québec                                   |
| Territoires du Nord-Ouest | Territoires du Nord-Ouest                |
| Nunavut                   | Nunavut                                  |
| Yukon                     | Yukon                                    |
| Alberta                   | Alberta                                  |
| Manitoba                  | Manitoba                                 |
| Saskatchewan              | Saskatchewan                             |
| Colombie-Britannique      | Colombie-Britannique                     |

### 32. Dois-je assister à une audience?

Non. Les avocats répondront à toutes les questions que les juges pourraient poser. Vous êtes cependant invité à y assister mais à vos propres frais. Si vous envoyez une objection, vous n'êtes pas obligé d'assister à une audience du tribunal pour en parler. À la condition que vous présentiez une objection d'ici le **25 août 2006**, elle sera examinée lors de l'audience qui vous concerne.

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### **33. À quelle audience puis-je assister?**

Vous pouvez assister à toutes les audiences. Toutefois, si vous désirez prendre la parole, vous devez assister à l'audience tenue par le tribunal chargé de vos revendications, comme l'indique le tableau de la question 31 ci-dessus.

### **34. Puis-je prendre la parole durant une audience?**

Vous êtes invité à vous rendre à l'audience qui vous concerne et à demander au tribunal la permission de prendre la parole. Vous pouvez également payer les services d'un avocat pour y assister et prendre la parole en votre nom mais cela n'est pas nécessaire.

## **VOUS EXCLURE DU RÈGLEMENT**

### **35. Comment puis-je m'exclure du règlement?**

Même si le règlement est approuvé, après que les audiences auront été tenues et que toutes les objections auront été prises en considération, vous aurez la possibilité de vous exclure et de conserver tous les droits que vous pourriez détenir de poursuivre les défendeurs dans le cadre de vos revendications. Si le règlement est approuvé, un avis subséquent vous expliquera comment le faire. Si vous ne vous excluez pas à ce moment, vous renoncez à toute réclamation juridique contre les défendeurs ainsi que les personnes et les entités concernées découlant de la fréquentation des pensionnats (voir la Question 19 ci-dessus).

Veillez noter qu'au Québec, la loi est différente : si vous avez déjà une action individuelle pendante devant un tribunal du Québec pour des sévices subis dans un pensionnat, vous devrez vous désister de cette action pour obtenir un paiement ou des prestations en vertu du règlement. Discutez-en avec votre avocat le plus tôt possible. Les autres personnes qui ne sont pas engagées dans une action individuelle pendante au Québec jouiront des mêmes droits d'exclusion que les personnes ailleurs au Canada.

## **POUR OBTENIR DE PLUS AMPLES RENSEIGNEMENTS**

### **36. Comment puis-je obtenir de plus amples renseignements?**

Le présent avis résume le règlement proposé. On peut trouver de plus amples détails à ce sujet dans la Convention de règlement. Vous pouvez obtenir une copie de la Convention de règlement à l'adresse [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) ou en téléphonant sans frais au 1-866-879-4913. Vous pouvez également poser vos questions en écrivant au Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord, Waterloo, Ontario, N2J 3G9.

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| <p style="text-align: center;">ለሚሰጥበት ለገንዘብ ማጠቃለያ ስራዎች ላይ ማስተካከያ ማድረግ</p> |   |
|---|---|
| <p>ሁለተኛ ስራዎች</p>  | <p>ሁለተኛ ስራዎች ለማስተካከል ለሚያስፈልጉት ሁሉም ሰነድ ማስቀመጥ አለብዎት።</p>      |
| <p>ሁለተኛ ስራዎች</p>  | <p>ሁለተኛ ስራዎች ማስተካከል ለማድረግ ለሚያስፈልጉት ሁሉም ሰነድ ማስቀመጥ አለብዎት።</p> |
| <p>ሁለተኛ ስራዎች</p>  | <p>ሁለተኛ ስራዎች ለማስተካከል ለሚያስፈልጉት ሁሉም ሰነድ ማስቀመጥ አለብዎት።</p>      |
| <p>ሁለተኛ ስራዎች</p>  | <p>ሁለተኛ ስራዎች ለማስተካከል ለሚያስፈልጉት ሁሉም ሰነድ ማስቀመጥ አለብዎት።</p>      |

ህጋዊ ማስጠንቀቂያ ለሁሉም ሰነድ ማስቀመጥ አለብዎት - ለሁሉም ሰነድ ማስቀመጥ አለብዎት  
 ለሁሉም ሰነድ ማስቀመጥ አለብዎት - ለሁሉም ሰነድ ማስቀመጥ አለብዎት

**ርኅዕ ዳኅንባህን ልጋራዎን ለመሆን**

**ጋህገላገላዎች ለሰጥሎት ..... ለሌላው 5**

- 1. ስህተት ለሰጥሎት ለማድረግ ይቻላል?
- 2. ስህተት ለሰጥሎት ለማድረግ ይቻላል?
- 3. ስህተት ለሰጥሎት ለማድረግ ይቻላል?
- 4. ስህተት ለሰጥሎት ለማድረግ ይቻላል?

**የሰጥሎት ስህተት ለማድረግ ይቻላል ..... ለሌላው 6**

- 5. ስህተት ለሰጥሎት ለማድረግ ይቻላል?
- 6. ስህተት ለሰጥሎት ለማድረግ ይቻላል?
- 7. ስህተት ለሰጥሎት ለማድረግ ይቻላል?
- 8. ስህተት ለሰጥሎት ለማድረግ ይቻላል?

**ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል ..... ለሌላው 7**

- 9. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 10. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 11. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 12. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 13. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 14. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 15. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 16. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 17. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 18. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 19. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?

**ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል ..... ለሌላው 10**

- 20. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 21. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 22. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?

**ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል ..... ለሌላው 10**

- 23. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 24. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 25. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?
- 26. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?

**ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል ..... ለሌላው 11**

- 27. ሰጥሎት ለሰጥሎት ለማድረግ ይቻላል?

ለሰጥሎት ለሰጥሎት ለማድረግ ይቻላል 1-866-879-4913 ድምጽ ለማድረግ ይቻላል [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)











- **ገራብሮቻችንን ነፍሰአዊ ምርጫዎችን ለማድረግ -** ስለሆነው ደግሞ \$60 ሺህ ለራስዎ ለማድረግ ማዘጋጀት ይገባል። ለዚህ ዓይነት ምርጫዎች ለማድረግ ለራስዎ ለማድረግ ለሆነው ደግሞ \$60 ሺህ ለማድረግ ማዘጋጀት ይገባል።
- **ጋራ ስም ለማድረግ ለሆነው** - \$20 ሺህ ለራስዎ ለማድረግ ማዘጋጀት ይገባል።

ርዕዮተኛነትዎን ለማሳካት ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል። ለዚህ ዓይነት ምርጫዎች ለማድረግ ለራስዎ ለማድረግ ለሆነው ደግሞ \$60 ሺህ ለማድረግ ማዘጋጀት ይገባል።

**10. የሥራ ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል።**

የሥራ ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል። ለዚህ ዓይነት ምርጫዎች ለማድረግ ለራስዎ ለማድረግ ለሆነው ደግሞ \$60 ሺህ ለማድረግ ማዘጋጀት ይገባል።

**11. ሆስፐታል ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል።**

ሆስፐታል ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል። ለዚህ ዓይነት ምርጫዎች ለማድረግ ለራስዎ ለማድረግ ለሆነው ደግሞ \$60 ሺህ ለማድረግ ማዘጋጀት ይገባል።

**12. ለሆስፐታል ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል።**

ሆስፐታል ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል። ለዚህ ዓይነት ምርጫዎች ለማድረግ ለራስዎ ለማድረግ ለሆነው ደግሞ \$60 ሺህ ለማድረግ ማዘጋጀት ይገባል።

**13. ሆስፐታል ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል።**

ሆስፐታል ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል። ለዚህ ዓይነት ምርጫዎች ለማድረግ ለራስዎ ለማድረግ ለሆነው ደግሞ \$60 ሺህ ለማድረግ ማዘጋጀት ይገባል።

ጋራ ስም ለማድረግ ለሆነው ለራስዎ ለማድረግ ለሆነው ደግሞ ለራስዎ ለማድረግ ማዘጋጀት ይገባል። ለዚህ ዓይነት ምርጫዎች ለማድረግ ለራስዎ ለማድረግ ለሆነው ደግሞ \$60 ሺህ ለማድረግ ማዘጋጀት ይገባል።





ክፍትነት/ጋራ አገልግሎት ለሌሎች ለማስገባት ይቻላል ። ይህ ደብዳቤ ከሌሎች ጋር አጠቃላይ ስራዎች ለማስገባት ይረዳል ።

**24. ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን ገብቷል? ምን ዓይነት ጥያቄዎችን አቅርባል?**

ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን ገብቷል ። ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ። ለምሳሌ፣ ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ።

**25. ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል?**

ከሌሎች ጋር አጠቃላይ ስራዎች ለማስገባት ይረዳል ። ይህ ደብዳቤ ከሌሎች ጋር አጠቃላይ ስራዎች ለማስገባት ይረዳል ።

**26. ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል? ምን ዓይነት ጥያቄዎችን አቅርባል?**

ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን ገብቷል ። ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ። ለምሳሌ፣ ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ።

**ላይኛው ደረጃ ትምህርት ለማስገባት ይረዳል**

ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን ገብቷል ። ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ። ለምሳሌ፣ ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ።

**27. ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል? ምን ዓይነት ጥያቄዎችን አቅርባል?**

ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን ገብቷል ። ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ። ለምሳሌ፣ ለደብዳቤዎ ምን ዓይነት ጥያቄዎችን አቅርባል ።

**28. ለጥያቄዎች ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው?**

ሳይኒትርግ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው።

**29. ሳይኒትርግ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው?**

ሳይኒትርግ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው።

**ሳይኒትርግ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው?**

ሳይኒትርግ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው።

**30. ሳይኒትርግ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው?**

ሳይኒትርግ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው።

| የሰነድ አይነት | ድህረ ምረቃ   | የሰነድ ሰነድ ድረ ምረቃ | የሰነድ ሰነድ/ ልዩ ሰነድ  |
|-----------|---|-----------------|-------------------|
| ሰነድ       | Ontario Superior Court of Justice<br>Court House<br>361 University Avenue<br>Toronto, ON M5G 1T3  | ሰነድ 29-31, 2006 | 10ግገር<br>ድረ ሰነድ   |
| ሰነድ       | Superior Court of Québec<br>Palais de justice<br>1 Notre-Dame Street East<br>Montreal, QC H2Y 1B6 | ሰነድ 8, 2006     | 9:30ግገር<br>ድረ ሰነድ |
| ሰነድ       | Court of Queen's Bench<br>Court House<br>2425 Victoria Avenue<br>Regina, SK S4P 3V7               | ሰነድ 18-20, 2006 | 10ግገር<br>ድረ ሰነድ   |
| ሰነድ       | Court House<br>4903 - 49th Street<br>Yellowknife, Northwest Territories<br>X1A 2N4                | ሰነድ 3-4, 2006   | 10ግገር<br>ድረ ሰነድ   |
| ሰነድ       | Court of Queen's Bench<br>Law Courts Building<br>408 York Avenue<br>Winnipeg, MB R3C 0P9          | ሰነድ 5-6, 2006   | 10ግገር<br>ድረ ሰነድ   |

ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው። ለግንዛቤ ለሰጠው ሰነድ ላይ ገንዘብ ለማግኘት ማቻለው ምን ዓይነት ነው።







# Mailing Envelopes

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Suite 3-505  
133 Weber St. North  
Waterloo, Ontario, N2J 3G9

**Indian Residential Schools Settlement Notice**

Administrateur des avis pour les tribunaux canadiens  
Règlement concernant les pensionnats  
133, rue Weber Nord, suite 3-505  
Waterloo (Ontario) N2J 3G9

**Avis de règlement concernant les pensionnats indiens**

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133 Weber St. North  
Waterloo, Ontario, N2J 3G9

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# Informational News Releases

For Immediate Release

## **Courts to notify former students of Canada's Indian residential schools about the settlement process; Hearings to start in August.**

TORONTO, ON, June 22, 2006/—A national notification programme began today, on behalf of Courts across Canada, to alert former students of the Indian residential school system and their families, about their legal rights in the settlement of the class action lawsuits over the schools.

The settlement notification process will occur in phases. First, through initial notices which will be published, mailed, and broadcast throughout Canada, former students and their families will learn how to give their views about the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all of the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it.

Considering the 80,000 living Aboriginal people who are former students of the residential school system, the settlement provides:

1) At least \$1.9 billion available for "common experience" payments to former students who lived at one of the schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that.

2) A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each. Students could get more money if they also show a loss of income.

3) Money for programmes for former students and their families for healing, truth, reconciliation, and commemoration of the residential schools and the abuses suffered: \$125 million to the Aboriginal Healing Foundation, \$60 million to research, document, and preserve the experiences of the survivors, and \$20 million for national and community commemorative projects.

The government will pay lawyers representing former students up to approximately \$100 million in fees, plus costs and taxes.

A toll free telephone call center at 1-866-879-4913 has been set up to handle inquiries, with a link to crisis line services. Also, a website displays the detailed notice, settlement agreement, list of recognized schools and hostels, and other information at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Former students and family members have the right to object to the settlement if they don't like some part of it. Those with objections must, by August 25, 2006, write to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, send an email [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca), or call 1-866-879-4913, to explain why they are against the settlement.

Objections will be considered at one of several settlement approval hearings. Former students and family members may ask to speak at the hearing held in the Court overseeing their claim. The hearings generally affect people based on where they now live. The dates, starting times, and locations of the hearings, are as follows:



| HEARING               | LOCATION   | HEARING DATE          | TIME       |
|-----------------------|--|-----------------------|------------|
| Ontario               | Ontario Superior Court of Justice<br>Court House<br>361 University Avenue<br>Toronto, ON M5G 1T3           | August 29-31, 2006    | 10:00 a.m. |
| Québec                | Superior Court of Québec<br>Palais de justice<br>1 Notre-Dame Street East<br>Montreal, QC H2Y 1B6          | September 8, 2006     | 9:30 a.m.  |
| Saskatchewan          | Court of Queen's Bench<br>Court House<br>2425 Victoria Avenue<br>Regina, SK S4P 3V7                        | September 18-20, 2006 | 10:00 a.m. |
| Northwest Territories | Court House<br>4903 - 49th Street<br>Yellowknife, Northwest Territories<br>X1A 2N4                         | October 3-4, 2006     | 10:00 a.m. |
| Manitoba              | Court of Queen's Bench<br>Law Courts Building<br>408 York Avenue<br>Winnipeg, MB R3C 0P9                   | October 5-6, 2006     | 10:00 a.m. |
| Nunavut               | Nunavut Court of Justice<br>Arnakallak Building (Building #224)<br>Iqaluit, Nunavut X0A 0H0                | October 10-11, 2006   | 9:30 a.m.  |
| British Columbia      | The Supreme Court of British<br>Columbia<br>The Law Courts<br>800 Smithe Street<br>Vancouver, B.C. V6Z 2E1 | October 10-12, 2006   | 10:00 a.m. |
| Alberta               | Court of Queen's Bench<br>Court House<br>611 - 4 St. S.W.<br>Calgary, AB T2P 1T5                           | October 12-13, 2006   | 10:00 a.m. |
| Yukon                 | Supreme Court of the Yukon<br>Territory<br>2134 Second Avenue<br>Whitehorse, Yukon Y1A 5H6                 | October 16-17, 2006   | 10:00 a.m. |

With the exception of those who attended the Mohawk Institute in Brantford, Ontario, former students and their families should attend the hearing in the Province/Territory in which they now reside. Those living in Labrador, New Brunswick, Newfoundland, Nova Scotia, Prince Edward Island, or outside Canada, are affected by, and may attend, the Ontario hearing. Former Mohawk Institute students are affected by the Ontario hearing regardless of where they now live.

###

/URL: <http://www.residentialschoolsettlement.ca>

/SOURCES: The Alberta Court of Queen's Bench; the Supreme Court of British Columbia; the Manitoba Court of Queen's Bench; the Supreme Court of the Northwest Territories; the Ontario Superior Court of Justice; the Québec Superior Court; the Supreme Court of the Yukon Territory; The Nunavut Court of Justice; and the Court of Queen's Bench for Saskatchewan.

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Former students and family members have the right to object to the settlement if they don't like some part of it. Those with objections must, by August 25, 2006, write to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, send an email [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca), or call 1-866-879-4913, to explain why they are against the settlement.

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/SOURCES: The Alberta Court of Queen's Bench; the Supreme Court of British Columbia; the Manitoba Court of Queen's Bench; the Supreme Court of the Northwest Territories; the Ontario Superior Court of Justice; the Québec Superior Court; the Supreme Court of the Yukon Territory; The Nunavut Court of Justice; and the Court of Queen's Bench for Saskatchewan.

## **Les tribunaux avisent les anciens élèves des pensionnats indiens du Canada au sujet du processus de règlement; les audiences débuteront en août.**

TORONTO, Ontario, le 22 juin 2006/— Un avis est diffusé aujourd'hui, au nom des tribunaux à l'échelle du Canada, afin d'informer les anciens élèves ayant fréquenté les pensionnats indiens ainsi que leur famille de leurs droits légaux dans le cadre du règlement des poursuites en recours collectif intentées contre les pensionnats.

Le processus de règlement se déroulera en plusieurs phases. En premier lieu, les anciens élèves et leur famille apprendront, par le truchement des avis initiaux qui seront publiés, postés et diffusés dans l'ensemble du Canada de quelle façon présenter leurs points de vue sur l'équité du règlement. Par la suite, les tribunaux de toutes les parties du Canada tiendront des audiences publiques. Si tous les tribunaux approuvent le règlement à la suite de ces audiences, un autre avis sera distribué subséquemment afin d'expliquer aux gens la façon d'obtenir un paiement du règlement ou de s'en exclure.

Compte tenu du fait qu'il y a 80 000 Autochtones toujours vivants qui sont d'anciens élèves du système de pensionnats, le règlement offre :

1) Un montant d'au moins 1,9 milliard \$ en « paiements pour expérience commune » à l'intention des anciens élèves qui ont vécu dans les pensionnats. Les paiements se chiffreront à 10 000 \$ pour la première année (ou partie d'année), plus 3 000 \$ pour chaque année (ou partie d'année) subséquente.

2) Un processus permettant d'octroyer un montant variant de 5 000 \$ à 275 000 \$ aux personnes qui ont subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves. Les élèves pourraient obtenir un montant d'argent plus élevé s'ils ont également subi des pertes de revenus.

3) Un montant d'argent pour les programmes à l'intention des anciens élèves et de leur famille pour la guérison, la divulgation des faits, la réconciliation et la commémoration des pensionnats ainsi que des sévices subis : 125 M \$ pour la Fondation autochtone de guérison, 60 M \$ afin de rechercher, documenter et préserver les expériences des anciens élèves et 20 M \$ pour des projets commémoratifs communautaires et nationaux.

Le gouvernement versera également aux avocats représentant les anciens élèves une somme approximative maximale de 100 M \$ pour les honoraires, plus les débours et les taxes.

Un centre d'appel dont le numéro sans frais est le 1-866-879-4913 a été créé pour répondre aux demandes, disposant d'un lien avec la ligne d'écoute téléphonique du gouvernement. De plus, un site Web affiche l'avis détaillé, la Convention de règlement, la liste des résidences d'écoliers et des pensionnats reconnus ainsi que d'autres renseignements à l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca).

Les anciens élèves et les membres de leur famille peuvent s'objecter au règlement s'ils sont en désaccord avec une partie du règlement. Pour faire une objection, ils doivent écrire à l'adresse suivante : Règlement concernant les pensionnats, 133 rue Weber Nord, suite 3-505, Waterloo, Ontario N2J 3G9, envoyer un courriel à l'adresse [objections@reglementpensionnatsindiens.ca](mailto:objections@reglementpensionnatsindiens.ca) ou téléphoner sans frais au 1-866-879-4913 d'ici le 25 août 2006 afin d'expliquer les raisons pour lesquelles ils sont en désaccord avec le règlement.

Les objections présentées seront examinées durant l'une des nombreuses audiences visant à approuver la Convention de règlement. Les anciens élèves et leur famille peuvent demander de prendre la parole lors de l'audience du tribunal supervisant leur revendication. L'audience qui concerne généralement les gens est celle de l'endroit où ils vivent actuellement. Le lieu, la date et l'heure de début des audiences sont les suivants :

| <b>AUDIENCE</b>           | <b>LIEU</b>   | <b>DATE DE L'AUDIENCE</b> | <b>HEURE</b> |
|---------------------------|---|---------------------------|--------------|
| Ontario                   | Cour supérieure de justice de l'Ontario<br>Palais de justice<br>361, avenue University<br>Toronto, ON M5G 1T3                       | 29-31 août 2006           | 10 h         |
| Québec                    | Cour supérieure du Québec<br>Palais de justice<br>1, rue Notre-Dame E.<br>Montréal, QC H2Y 1B6                                      | 8 septembre 2006          | 9 h 30       |
| Saskatchewan              | Cour du Banc de la Reine<br>Palais de justice<br>2425, avenue Victoria<br>Regina, SK S4P 3V7  | 18-20 septembre 2006      | 10 h         |
| Territoires du Nord-Ouest | Palais de justice<br>4903 – 49 <sup>ième</sup> rue<br>Yellowknife, Territoires du Nord-Ouest<br>X1A 2N4                             | 3-4 octobre 2006          | 10 h         |
| Manitoba                  | Cour du Banc de la Reine<br>Édifice du Palais de justice<br>408, avenue York<br>Winnipeg, MB R3C 0P9                                | 5-6 octobre 2006          | 10 h         |
| Nunavut                   | Cour de justice du Nunavut<br>Édifice Arnakallak (Édifice #224)<br>Iqaluit, Nunavut X0A 0H0   | 10-11 octobre 2006        | 9 h 30       |
| Colombie-Britannique      | Cour suprême de la Colombie-Britannique<br>Palais de justice<br>800, rue Smithe<br>Vancouver, C.-B. V6Z 2E1                         | 10-12 octobre 2006        | 10 h         |
| Alberta                   | Cour du Banc de la Reine<br>Palais de justice<br>611 – 4 <sup>ième</sup> rue S.O.<br>C.P. 2549 Station « M »<br>Calgary, AB T2P 1T5 | 12-13 octobre 2006        | 10 h         |
| Yukon                     | Cour suprême du territoire du Yukon<br>2134, avenue Second<br>Whitehorse, Yukon Y1A 5H6   | 16-17 octobre 2006        | 10 h         |

À l'exception des personnes qui ont fréquenté le Mohawk Institute à Brantford, en Ontario, les anciens élèves et leur famille devraient assister aux audiences tenues dans la province ou le territoire où ils résident actuellement. Les anciens élèves qui demeurent au Labrador, au

Nouveau-Brunswick, à Terre-Neuve, en Nouvelle-Écosse, à l'Île-du-Prince-Édouard ou à l'extérieur du Canada sont concernés et peuvent assister aux audiences tenues en l'Ontario. Les anciens élèves du Mohawk Institute sont concernés par les audiences tenues en Ontario, sans égard à l'endroit où ils résident actuellement.

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/URL : <http://www.reglementpensionnatsindiens.ca>

/SOURCES : La Cour du Banc de la Reine de l'Alberta; la Cour suprême de la Colombie-Britannique; la Cour du Banc de la Reine du Manitoba; la Cour suprême des Territoires du Nord-Ouest; la Cour supérieure de l'Ontario; la Cour supérieure du Québec; la Cour suprême du territoire du Yukon; et la Cour du Banc de la Reine de la Saskatchewan.



Δεσ4ΑΔ'β'CPLΔ' ΔN'P'σ' ΔLΔ ΔP'P'σ' Δ'ΔL'ΔP'ΔC'σ' ΔC'σ 'β'N'CD'N'J' Δ'ν'ε'Α'P'Δ'P' [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Δεσ4ΑΔ'β'CPLΔ' ΔC'Δ'N'P'Δ' ΛΔ'ε'Δ'N'β'C'P'Δ' Δ'P'P'P'J'J'L'J'N' C'β'Δ'σ'β' Δ'P'P'J'N'C'Y'C'Δ'J'L'Δ'σ' Δ'L'Δ' σ'C'P'ε'Α'β'C'P' P'C'P'σ'Δ'σ'Δ'σ'. U'β'Δ' Δ'P'P'P'J'σ'P'N'σ'β' ε'Δ'P'J'N'β'C' ε'Δ'P'P'Δ'ε'C' Δ'ε' Δ'C'Δ'β' ε'C'Δ'N'C'Δ'P'N'ε'J' Δ'Δ'J'P' 25, 2006 Δ'C'C'Α'N'J'C' Δ'C'J'N'P'Δ'P' Δ'P'N'Δ'P' Δ'P'β' P'C'N'J'C' Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9 Δ'C'ε'Δ'ε'C' 'β'N'CD'N'J'C' Δ'C'ε'β'C'Δ'N'J'N'σ'β' Δ'P'Δ'N'β'C'Δ'N' N'P'N'P'J'ε'Δ'J'C' Δ'P'β' Δ'P'N'Δ'P'C' [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca) Δ'C'ε'Δ'ε'C' Δ'β'C'Δ'N'β'Δ'C' Δ'β'C'L'Δ'N'β' Δ'P'β' 1-866-879-4913J'C' Δ'P'P'N'P'J'N'β'C'Δ'N'β' P'L'P' Δ'P'P'J'σ'β'L'β'L'β' C'β'Δ'σ'β' Δ'P'P'J'N'C'Y'C'Δ'J'L'Δ'σ'β'.

Δ'P'P'N'β'P'σ'P'N'σ'β' Δ'P'L'C'Y'P'Δ'P'CD'β'C'ε'C'N'J'C' C'β'Δ'ε'σ' P'C'P'σ'Δ'σ'Δ'σ'. Δεσ4ΑΔ'β'CPLΔ' ΔC'Δ'N'P'Δ' σ'C'Α'β'N'CD'J'L'Δ'N'β' Δ'C'σ'Δ'Δ'P'Δ'ε'J'C' Δ'β'β'Δ'Δ'Α'Γ'β' P'C'P'σ'Δ'C'Δ'Δ'Γ'σ'β'. C'β'Δ' P'C'P'σ'Δ'C'Δ'ε'C' ε'Δ'C'ε'Γ' ε'Δ'P'L'Δ'P'C'ε'C'Γ'σ' Δ'N'N'β'Δ'C'Δ'σ'β'P'J'C'. P'C'P'σ'Δ'σ'Δ'σ' Δ'C'Δ'Y'CC'Δ'L'J'N'β'C' Δ'P'Δ'P'Δ'P'β'C'ε'C'N'J'C' Δ'L'β' Δ'P'P'CD'L'J'N'β'C'ε'C'N'J'C'.

| Ρ'C'P'σ'Δ'σ'ε'C'    | ε'σ'C'σ'β'P'C'  | Ρ'C'P'σ'Δ'σ'J'C' Δ'C'Δ'β'L'C' | 9'C'ε'J'P'β'L'/ Δ'β'Δ'σ'β'L' |
|---------------------|---|-------------------------------|------------------------------|
| Δ'N'Δ'P'Δ'          | Ontario Superior Court of Justice<br>Court House<br>361 University Avenue<br>Toronto, ON M5G 1T3        | Δ'Δ'β'J'P' 29-31, 2006        | 10'β'J'Γ'C' Δ'C'ε'Δ'C'       |
| Δ'V'β'              | Superior Court of Québec<br>Palais de justice<br>1 Notre-Dame Street East<br>Montreal, QC H2Y 1B6       | P'C'N'Λ'N' 8, 2006            | 9:30'β'J'Γ'C' Δ'C'ε'Δ'C'     |
| Y'β'P'J'Δ'          | Court of Queen's Bench<br>Court House<br>2425 Victoria Avenue<br>Regina, SK S4P 3V7                     | P'C'N'Λ'N' 18-20, 2006        | 10'β'J'Γ'C' Δ'C'ε'Δ'C'       |
| ε'Δ'P'Δ'β'          | Court House<br>4903 - 49th Street<br>Yellowknife, Northwest Territories<br>X1A 2N4                      | Δ'β'Δ'Λ'N' 3-4, 2006          | 10'β'J'Γ'C' Δ'C'ε'Δ'C'       |
| Λ'σ'J'C'            | Court of Queen's Bench<br>Law Courts Building<br>408 York Avenue<br>Winnipeg, MB R3C 0P9                | Δ'β'Δ'Λ'N' 5-6, 2006          | 10'β'J'Γ'C' Δ'C'ε'Δ'C'       |
| ε'Δ'J'C'            | Nunavut Court of Justice<br>Arnakallak Building (Building #224)<br>Iqaluit, Nunavut X0A 0H0             | Δ'β'Δ'Λ'N' 10-11, 2006        | 9:30'β'J'Γ'C' Δ'C'ε'Δ'C'     |
| Δ'N'N'β' β'C'Λ'Λ'Δ' | The Supreme Court of British Columbia<br>The Law Courts<br>800 Smithe Street<br>Vancouver, B.C. V6Z 2E1 | Δ'β'Δ'Λ'N' 10-12, 2006        | 10'β'J'Γ'C' Δ'C'ε'Δ'C'       |
| Δ'C'J'C'            | Court of Queen's Bench<br>Court House<br>611 - 4 St. S.W.<br>Calgary, AB T2P 1T5                        | Δ'β'Δ'Λ'N' 12-13, 2006        | 10'β'J'Γ'C' Δ'C'ε'Δ'C'       |
| Δ'β'ε'              | Supreme Court of the Yukon Territory<br>2134 Second Avenue<br>Whitehorse, Yukon Y1A 5H6                 | Δ'β'Δ'Λ'N' 16-17, 2006        | 10'β'J'Γ'C' Δ'C'ε'Δ'C'       |





# Summary Notices

## Official Court Notice



# The residential schools settlement process has begun. The healing continues.

The Indian residential schools settlement process has started. First, through these initial notices, former students and their families will learn how to give their views on the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it.

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1) At least \$1.9 billion available for "common experience" payments to former students who lived at one of the schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that.

2) A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each. You could get more money if you also show a loss of income.

3) Money for programmes for former students and their families for healing, truth, reconciliation, and commemoration of the residential schools and the abuses suffered: \$125 million for healing, \$60 million to research, document, and preserve the experiences of the survivors, and \$20 million for national and community commemorative projects.

You don't have to show you were abused to get a common experience payment, and you can get one even if you had an abuse lawsuit, and even if you settled it.

You can object to the settlement if you don't like some part of it. If you have an objection, you must by **August 25, 2006**, send an email to [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca), write to Residential Schools Settlement, Suite 3-505, 133 Weber

St. North, Waterloo, Ontario N2J 3G9, or call toll free 1-866-879-4913. Be sure to explain why you are against the settlement, and include your name, the school(s) you attended, your address, and telephone number.

If you object, it will be considered at a settlement approval hearing. You may ask to speak at the hearing in the Court overseeing your claim. The hearing that affects you is generally based on where you now live (see the centre box).

As part of the settlement, the government will pay lawyers representing former students up to approximately \$100 million in fees, plus costs and taxes. You don't have to hire a lawyer to object, and

you don't have to hire and pay a lawyer to get a common experience payment once the claims process begins. Of course, you may hire your own lawyer and pay that lawyer to object, speak for you at a hearing, or represent you with an abuse claim.

Call 1-866-879-4913 with questions about the settlement, or go to [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) to read a more detailed notice or the settlement agreement.

### The Court Hearings

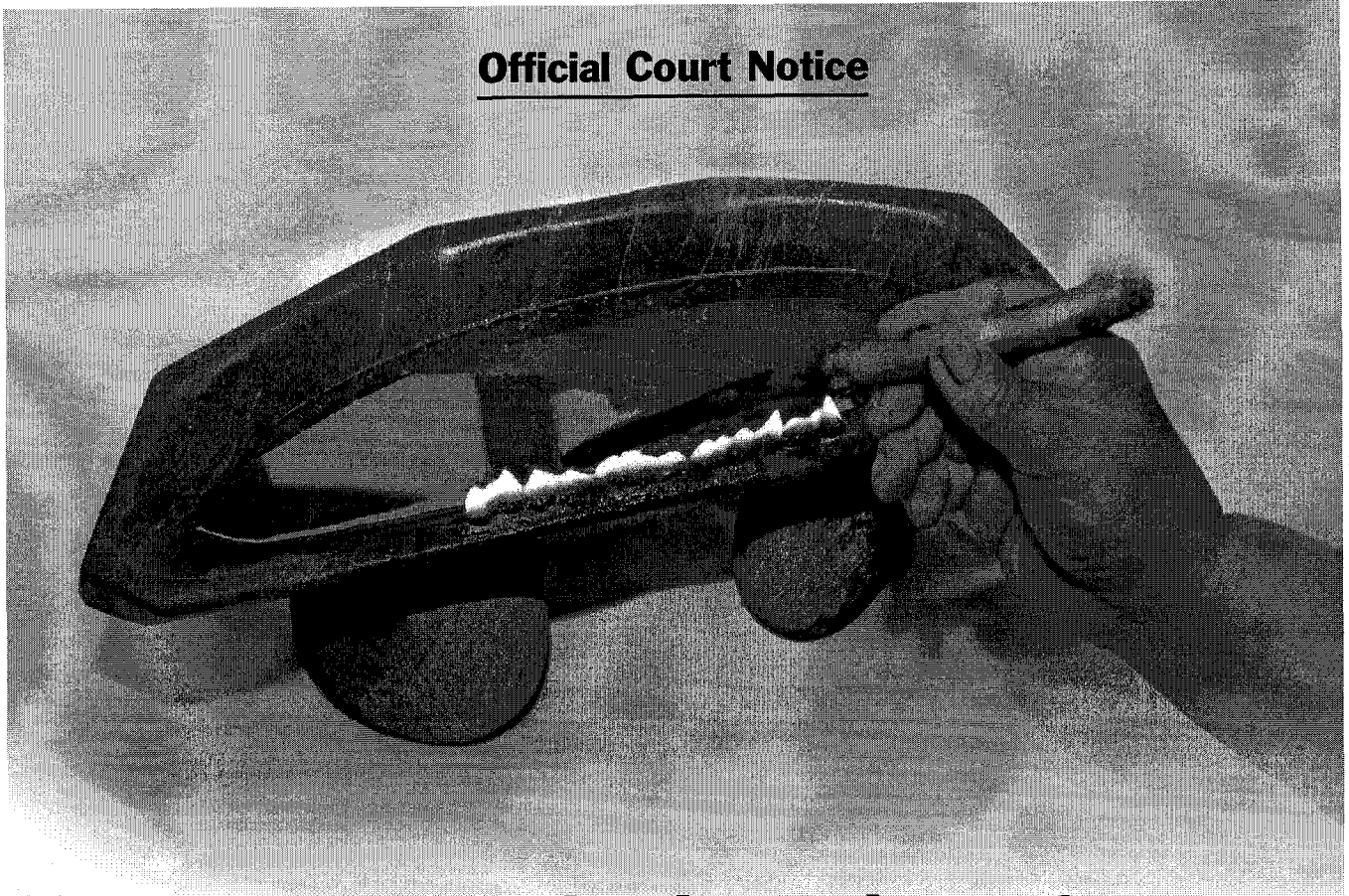
| <u>Court</u>          | <u>Date</u>     |
|-----------------------|-----------------|
| Ontario               | August 29-31    |
| Québec                | September 8     |
| Saskatchewan          | September 18-20 |
| Northwest Territories | October 3-4     |
| Manitoba              | October 5-6     |
| Nunavut               | October 10-11   |
| British Columbia      | October 10-12   |
| Alberta               | October 12-13   |
| Yukon                 | October 16-17   |

If you attended the Mohawk Institute in Brantford, go to the Ontario hearing. Otherwise, go to the hearing in your Province/Territory. If you live in Labrador, New Brunswick, Newfoundland, Nova Scotia, Prince Edward Island, or outside Canada, go to the Ontario hearing. The exact times and locations are in a detailed notice. To get one, contact:

**1-866-879-4913**

**[www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)**

## Official Court Notice



# The residential schools settlement process has begun. The healing continues.

The residential schools settlement process has started. First, through these initial notices, former students and their families will learn how to give their views on the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it.

Considering the 80,000 living Aboriginal people who are former students of the residential school system, the settlement provides:

1) At least \$1.9 billion available for "common experience" payments to former students who lived at one of the schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that.

2) A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each. You could get more money if you also show a loss of income.

3) Money for programmes for former students and their families for healing, truth, reconciliation, and commemoration of the residential schools and the abuses suffered: \$125 million for healing, \$60 million to research, document, and preserve the experiences of the survivors, and \$20 million for national and community commemorative projects.

You don't have to show you were abused to get a common experience payment, and you can get one even if you had an abuse lawsuit, and even if you settled it.

You can object to the settlement if you don't like some part of it. If you have an objection, you must by **August 25, 2006**, send an email to [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca), write to Residential Schools Settlement, Suite 3-505, 133 Weber

St. North, Waterloo, Ontario N2J 3G9, or call toll free 1-866-879-4913. Be sure to explain why you are against the settlement, and include your name, the school(s) you attended, your address, and telephone number.

If you object, it will be considered at a settlement approval hearing. You may ask to speak at the hearing in the Court overseeing your claim. The hearing that affects you is generally based on where you now live (see the centre box).

As part of the settlement, the government will pay lawyers representing former students up to approximately \$100 million in fees, plus costs and taxes. You don't have to hire a lawyer to object, and

you don't have to hire and pay a lawyer to get a common experience payment once the claims process begins. Of course, you may hire your own lawyer and pay that lawyer to object, speak for you at a hearing, or represent you with an abuse claim.

Call 1-866-879-4913 with questions about the settlement, or go to [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) to read a more detailed notice or the settlement agreement.

### The Court Hearings

| <u>Court</u>          | <u>Date</u>     |
|-----------------------|-----------------|
| Ontario               | August 29-31    |
| Québec                | September 8     |
| Saskatchewan          | September 18-20 |
| Northwest Territories | October 3-4     |
| Manitoba              | October 5-6     |
| Nunavut               | October 10-11   |
| British Columbia      | October 10-12   |
| Alberta               | October 12-13   |
| Yukon                 | October 16-17   |

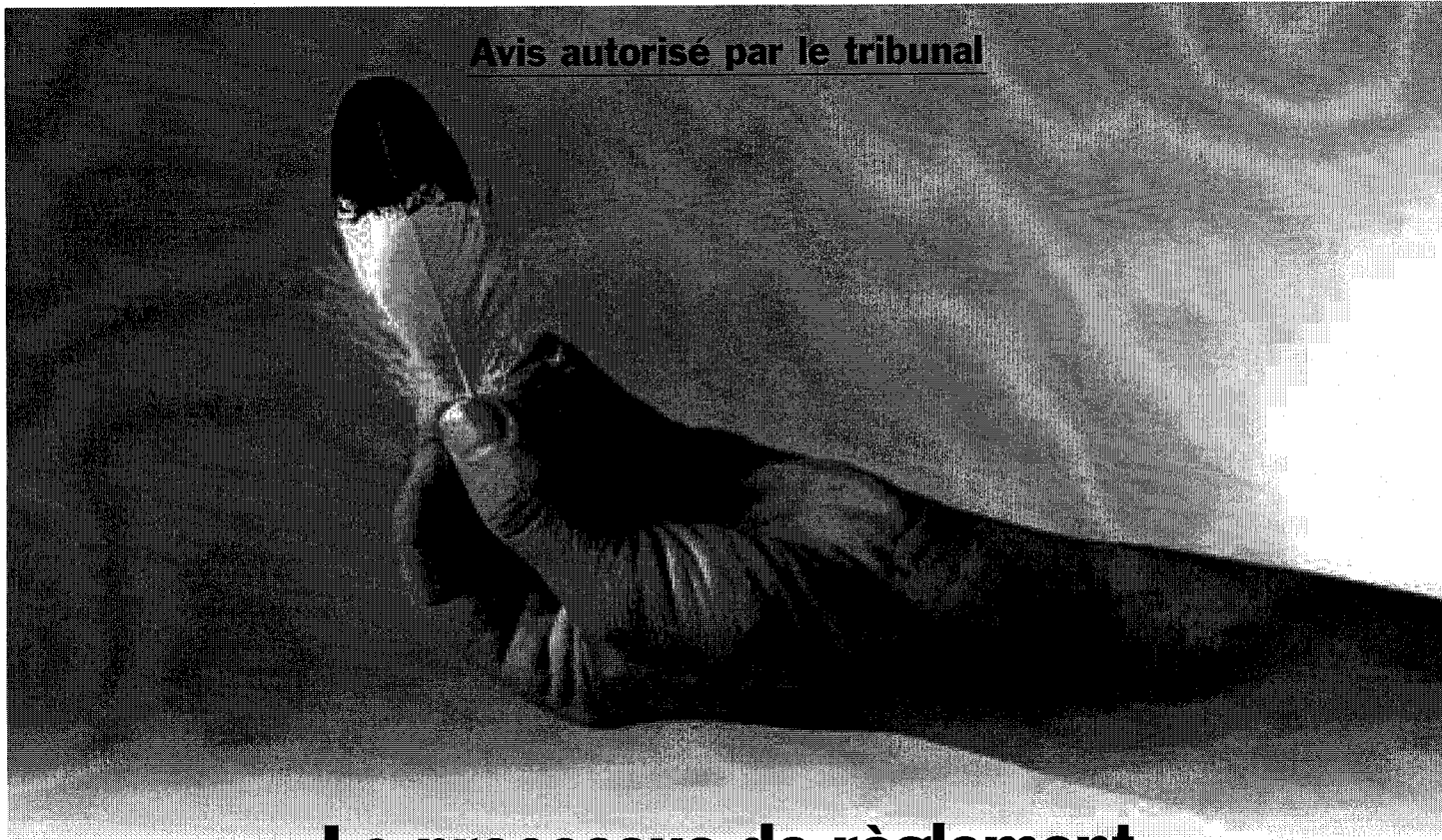
If you attended the Mohawk Institute in Brantford, go to the Ontario hearing. Otherwise, go to the hearing in your Province/Territory. If you live in Labrador, New Brunswick, Newfoundland, Nova Scotia, Prince Edward Island, or outside Canada, go to the Ontario hearing. The exact times and locations are in a detailed notice. To get one, contact:

**1-866-879-4913**

**[www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)**



**Avis autorisé par le tribunal**



## **Le processus de règlement concernant les pensionnats a commencé. La guérison se poursuit.**

Le processus de règlement concernant les pensionnats indiens a commencé. Dans un premier temps, les anciens élèves et leur famille apprendront, par le truchement des avis initiaux, de quelle façon présenter leurs points de vue sur l'équité du règlement. Les tribunaux de toutes les parties du Canada tiendront des audiences publiques. Si tous les tribunaux approuvent le règlement à la suite de ces audiences, un autre avis sera distribué subséquemment afin d'expliquer aux gens la façon d'obtenir un paiement du règlement ou de s'en exclure.

Compte tenu du fait qu'il y a 80 000 Autochtones toujours vivants qui sont d'anciens élèves du système de pensionnats, le règlement offre :

1) Un montant d'au moins 1,9 milliard \$ en « paiements pour expérience commune » à l'intention des anciens élèves qui ont vécu dans les pensionnats. Les paiements se chiffreront à 10 000 \$ pour la première année (ou partie d'année), plus 3 000 \$ pour chaque année (ou partie d'année) subséquente.

2) Un processus permettant d'octroyer un montant variant de 5 000 \$ à 275 000 \$ aux personnes qui ont subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves. Les élèves pourraient obtenir un montant d'argent plus élevé s'ils ont également subi des pertes de revenus.

3) Un montant d'argent pour les programmes à l'intention des anciens élèves et de leur famille pour la guérison, la divulgation des faits, la réconciliation et la commémoration des pensionnats ainsi que des sévices subis : 125 M \$ pour la Fondation autochtone de guérison, 60 M \$ afin de rechercher, documenter et préserver les expériences des anciens élèves et 20 M \$ pour des projets commémoratifs communautaires et nationaux.

Vous n'avez pas besoin de démontrer que vous avez subi des sévices pour obtenir un paiement pour expérience commune et vous pouvez en obtenir un même si vous avez intenté une action

en justice pour sévices et même si vous l'avez réglé.

Vous pouvez vous objecter au règlement si vous êtes en désaccord avec une partie du règlement. Pour faire une objection, vous devez envoyer un courriel à l'adresse [objections@reglementpensionnatsindiens.ca](mailto:objections@reglementpensionnatsindiens.ca), écrire au Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord,

Waterloo, Ontario N2J 3G9 ou téléphoner sans frais au 1-866-879-4913 d'ici le **25 août 2006**. Assurez-vous de bien expliquer les raisons pour lesquelles vous êtes en désaccord avec le règlement et d'inclure votre nom, le ou les pensionnats que vous avez fréquentés, votre adresse et votre numéro de téléphone.

Si vous avez présenté une objection, elle sera examinée lors d'une audience portant sur l'approbation du règlement. Vous pouvez demander de prendre la parole lors de l'audience du tribunal qui supervise votre revendication. L'audience qui vous concerne est généralement celle de l'endroit où vous vivez actuellement (*voir la case centrée*).

Dans le cadre du règlement, le gouvernement versera aux avocats représentant les anciens élèves une somme approximative maximale de 100 M \$ pour les honoraires, plus les coûts et les taxes. Vous n'êtes pas obligé de retenir les services d'un avocat

pour vous objecter au règlement et vous n'avez pas à embaucher et à payer un avocat afin d'obtenir un paiement d'expérience commune lorsque le processus de réclamations aura débuté. Évidemment, vous pouvez retenir les services de votre propre avocat moyennant rémunération pour vous objecter au règlement, parler en votre nom lors d'une audience ou vous représenter dans le cas d'une réclamation pour sévices.

Appelez le numéro sans frais 1-866-879-4913 si vous avez des questions concernant le règlement ou visitez l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca) afin de consulter l'avis plus détaillé ou la Convention de règlement.

### **Les audiences du tribunal**

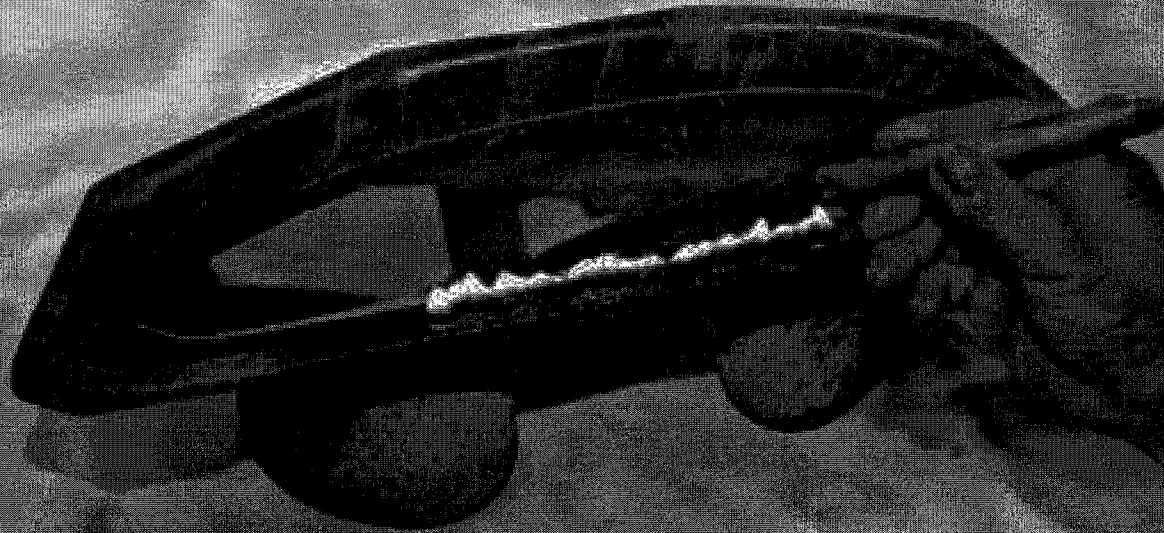
| <b>Tribunal</b>      | <b>Date</b>     |
|----------------------|-----------------|
| Ontario              | 29-31 août      |
| Québec               | 8 septembre     |
| Saskatchewan         | 18-20 septembre |
| Terr. du N.-O.       | 3-4 octobre     |
| Manitoba             | 5-6 octobre     |
| Nunavut              | 10-11 octobre   |
| Colombie-Britannique | 10-12 octobre   |
| Alberta              | 12-13 octobre   |
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Si vous avez fréquenté le Mohawk Institute de Brantford, présentez-vous à l'audience en Ontario. Autrement, présentez-vous aux audiences dans votre province ou territoire. Si vous résidez au Labrador, au Nouveau-Brunswick, à Terre-Neuve, en Nouvelle-Écosse, à l'Île-du-Prince-Édouard ou à l'extérieur du Canada, présentez-vous aux audiences en Ontario. Les heures et le lieu précis sont indiqués dans un avis détaillé. Afin d'en obtenir une copie, communiquez avec nous de la façon suivante :

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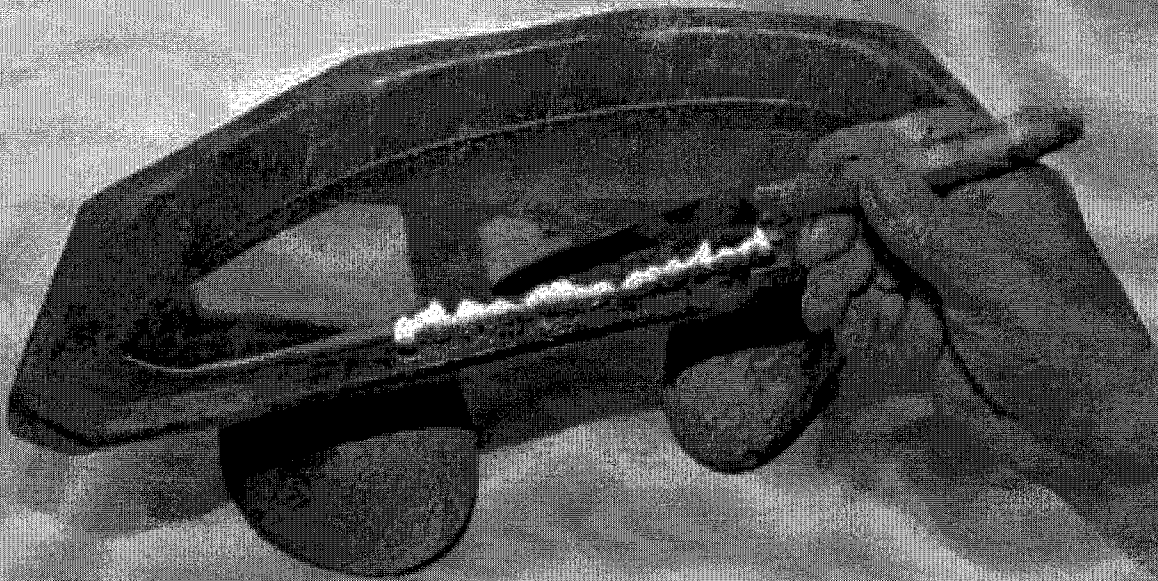
**1-866-879-4913**

**[www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)**





## **Apirhuiyit Nalakvikhait**



# **Aulaqtitauhimapluni sikuuriaqtitaunirmit akiliqtuinikhak aularutiyuq. Mamittiqtut huli.**

Aulaqtitauhimapluni sikuuriaqtitaunirmit akiliqtuinikhak aularutiyuq. Hivullirmik, ukuatigut tuhaktittitjutitigut, sikuuriaqtitauhimaut ilaguhiillu ayuirmiaqtut qanuq tuhaktittinirmik naammak-mangat akiliqtauniaqtuq. Ahiit, Apirhuiyit Kanatami inungnik nalakniaqtut. Tamaita Apirhuiyit angiqqatjuk akiliqtauyukhak nalaguigumik, allattaug tuhaktittitjut tuniuqqaqtauniaqtuq unip-kaktumik qanuq akiliqtauyami uvvaluuniit akiliqtaunngilluni.

Ihumagilugit 80,000 inuuyut Nunaqaqqaqtut inuit sikuuriaqtitauhimayutaularhimaplutik, akiliqtuutikhak imaatut-ittuq:

1) Mikinighak \$1.9 piliat atuq-tauyukhak tapkununga "atjigiiktumik inuuhimayut" akiliqtaulutik sikuurhimayunut kitumilikak atauhirmi sikuurvingmi. Akiliqtauluni \$10,000 hivullirmut sikuqtamingnut ukiumut (ukiup ilanganuluuniit) ilaurlugu \$3,000-mik ukiunut kinguagut (ukiup ilanganuluuniit) talvan-ga.

2) Ihuarhautikhak tapkununga naglihakhimayunut nuliaktaunirmit aniqtaunirmiluuniit ahigaluluuniit aniqtauhimayut hivi-tuyumik ihumaklutauhimayunik, akiliqtauniaqtut \$5,000-mit \$275,000-mut atuni. Maningnakyumittaqtutit takuhi-uptaguvit havaktailitjutigivagat maniliugakhaugalamik.

3) Manngit aulayukhanut pivikhautinut sikuuriaqtitauhimayunut ilaguhiinnullu mamittigtutikhak ukpingnautikhak ihuarhautikhak itqamatjutikhallu sikuurviugaluani naglikaagutaugalanriglu: \$125 miliat mamittigtutikhak, \$60 miliat qauyihaganut titigaqtauniinnullu piuguq-tailuquplugit annakhimayait, uvvalu \$20 miliat nunalimaamut nunalingnilu itqamatjutikhanut.

Takuhiuriyagiaqanngittutit naglikhakitauhimanirmik atjigiiktumik inuuhimayunit akiliqtauyarni. Pittaqtutillu aniqtaunirmit palihimiqtuqaruvit akiliqtaugaluarlutit.

Ihuigittaqtat akiliqtauyukhak ihuigiguviuk ilanga. Ihuiguhitaqaruvit, titigariaqatutit **Aagasi 25, 2006-kut** qarit-tauyakkut uvunga objections@residentialschoolsettlement.ca, titigarvigilugiluuniit uvunga Residential Schools Settlement,

Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9. Hivagarlutiluuniit akiittumut 1-866-879-4913. Uqatjavutit huuq ihuigiyakhat akiliqtauyukhak uqarlugulu atqit, sikuurviit sikuurvigalutit, titiqqil-viit, talafuutillu.

Ihuiguhukkuvit ihumagiyauni-aqtuq nalaktuni. Uqarumattaqtutit Apirhuiyini ilvit tukhiutingnik munarhiunik. Nalakvikhak ilingnut turangayuq humiitpalirningnut hadja (taku-lugu iluaniittuq kikakgiktuq).

Ilanga akiligakhamit akiliqtauni-aqtuq maligaliuriyinu itkayuqtu-nik sikuuriaqtitauhimayunik \$100 milianutqaaq akiliuhi-akhannut akiikhainnut tak-siyautinullu. Ikayuqtiqaria-qanngittutit akiliqtauyumaguvit sikuuriaqtitaunirmit. Uvvaluuniit ilingnik akiliqtiittaqtutit maligaliuqtikharnik ilingnik akilirlugu ihuiguhuktikhak uqaqtikhak nalaktuni ilingnik kivgaq-

tuiyukhamik. Hivagarlugu 1-866-879-4913 apir hutikhaqaruvit akiliqtauyukahtigut, uvaniluuniit www.residentialschoolsettlement.ca taigugumaguvit hivitutqi-amik tuhagutikhamik haffuma mighaagut.

## **Apirhuiyit Nalakvikhait**

### **Apirhuiyit**

Ontario  
Québec  
Saskatchewan  
Northwest Territories  
Manitupa  
Nunavut  
British Columbia  
Alberta  
Yuukan

### **Ublug**

Aagasi 29-31  
Saptampa 8  
Saptampa 18-20  
Aktupa 3-4  
Aktupa 5-6  
Aktupa 10-11  
Aktupa 10-12  
Aktupa 12-13  
Aktupa 16-17

Sikurhimaguvit Mohawk Institute-mi Brantford-mi, Ontario-mi nalaktunngaulutit. Allat nalaktunut upautitutit aviktuhi-mayumi. Labradoriumtauguvit News Brunswick-mit Newfoundland-mit Nova Scotia-mit Prince Edward Island-mit hilataaniluuniit Kanataup, Ontario-mi nalaktunun-gaulutit. Nalaumayut ublut humilu titigarhimayut hivi-tuyumi. Piumaguvit, turaqvigilugu:

**1-866-879-4913**

**[www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)**





## Uqaqtitaarvium Savagvianin Tusaayaksaq



# Ukuat ilisarvingmun ilisariaqtuat taimani piyaksait isagutiyyuq. Maminniarutiksaq ittuq suli.

Ilisarvingmi inuuniaqtuat taimani piyaksait isaktuq. Sivullirmi, ukuani makpiraani quliaqtut, ilisariaqsimayuat taimani ilangitlu ilisarniaqtut qanuq isumammagaata piyaksaitigun iluarman. Aasiin, Uqaqtitaarviit Canadami nunangannikatimaqtiginarait. Taima aasiin katimaruirumik tusaammanikkumik inuinnin Uqaqtitaarviitkut ilurrigumiung kisanik angirniarait, allanik makpiraaliurniaqtuat aglaglugit taiguqsanik ilitchuripkarlugit qanuq akiliusailayuat piyaksainin asu luunniin ilaliusilaitkumik uqallautinirait.

Isumagiblugitlu Tan'ngungittuat inuuyuat qangma inugiaktillaaqtut 80,000tun ilisariaqsimayuat taimani ilisarvingmun, ukuani pilayut:

1) Aktilaanganun \$1.9 billiontun maniiit "atdjigiiktumik inuusiruaqtuat" akiliniarait inuuniaqsimayuanun taimani ilisarvingmi. Akiliniarait \$10,000tun sivullirmun ukiumun tadjvaniitkamik (asu avvangani ukiumi) suliptauq aasiin \$3,000tun maningnik akililugit kingullingnun ukiunun (asu avvangani ukiumi) kinguvatingnun.

2) Ikayurniarait tamatkuat nangittuat piyuaqtuatlu suuyariyuatlu, asu allakun sapiqtuat isumaalutiruaqlutiklu isumangni, pilayut maningmik \$5,000min \$275,00mun aglaan atausiq inungnun. Maningnik allanik pilayut uqallautigupkit akiksangaiqtuatin maningnik sumin.

3) Maniiit atuaksat ikayurviksainun taimani inuuniaqtuanun ilisarvingmi ilangitlu maminniatqublugit, ilumuurniq, quviasuqatigiitqublugitlu, umigviksaalu itqumaviat sannaiyarlugu ilisarviitigun taimani nanginmata tadjvani: \$125 milliontun maninniarutiksainun, \$60 milliontun atuaksaq nautchiurutiksainun, aglagviksainunlu, tuvvaqulugitlu inuusingit taimani isumayungnairlugit, suli \$20 milliontun maniiit atuaksainun nunanun tamainnunlu inuunarvingnunlu quviasugviginarumik tuvvaqturviksaa isumaalutait.

Ilingnik takuuqtisilaitkitin qanuq suuyariyuatin taimani akiliusiaqtinnatin, pilagin akiliusiaq uqaqtitaarvikun piguvit sivuani, akiliusiaruvit uunniin tadjvannga pilayutin suli.

Iluarinngitkupku naaggailagin akiliusian. Iluarinngitatin, August 25, 2006ngutinagu, aglaglugit qaritauyakun uvunga objections@residentialschoolsettlement.ca, aglaglugit uvunga Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, asu ququarlugit akiruanngittuamun 1-866-879-4913. Nalunairlugu suuq iluarinngitatin akiliusan, atqin ililugu, ilisarvik asu ilisarviit atingitlu ilisarvigiyatin, inuuniarviin, ququarviinlu.

Naggairupkit, katimaniaqtusi uqaqatigiiglusu akiksaitigun. Apiqsulayutin uqarukkuvit akiliasian munaqsaitigun katimavingmi Uqaqtitaarvium savagviani. Katimaviksatin nunanga aglaksimayuuq uvani makpiraani naniitilaanga inuuniarviin qangma maliglugu (qitiqqaniittuag aglait taigurlugit).

Iliiutilugu piyaksatin, kavamatkut akiliniaraat savaktit uqaqtitaarvingmi ikayuqtuat ilingnun akilaangatin akililayut \$100 milliontun tamainnun atautchilugit, atuqtatlu maningniklu taxesniglu. Nakuuginngittan uqallautigupkit lawyerkunnik pisunngitkuvit sunngituuq, suliptauq pisunngitkuvit suginngitaat akililaitkitin uunniin savautigumik ilingnun tutqiksaiyarnirmun akiliviksan. Ami, ilingnik pisukkuvit lawyernek ikayuqublutin akililagin ilipkuaqtutin isumaktun, ilingnun uqalayuuq quliarlugit

suuyarittauyuatin ilisarvingmi. Ququarlutin 1-866-879-4913 apiqsuruaruvit piyaksaitigun, asu luunniin [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) taigurlugit aglaangit kangiqsisukkuvit kiilu piyaksaitigun.

### Uqaqtitaarviit Katimaviksait Ubluat

#### Iqaqtitaarviksaq

Ontario  
Québec  
Saskatchewan  
Northwest Territories  
Manitoba  
Nunavut  
British Columbia  
Alberta  
Yukon

#### Ublua

August 29-31  
September 8  
September 18-20  
October 3-4  
October 5-6  
October 10-11  
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October 12-13  
October 16-17

Ilisaruvit uvani Mohawk Institute Brandfordmi, katimayaqturlutin Ontario katimavianun. Asu luunniin, ilauyaqturlutin nunangni katimavianun. Inuuniaruvit Labradormi, New Brunswickmi, Newfoundlandmi, Nova Scotiam, Prince Edward Islandmi, asu Kanatam silataani, katimayaqturlutin Ontariomun. Katimaviat aullaqqiviksait sumiitilaangatu aglaksimayut nalunaivikluktut. Pisukkupsing, ququarlugit:

**1-866-879-4913**

**[www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)**



## Official Court Notice



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- 2) A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each. You could get more money if you also show a loss of income.
- 3) Money for programmes for former students and their families for healing, truth, reconciliation, and commemoration of the residential schools and the abuses suffered: \$125 million for healing, \$60 million to research, document, and preserve the experiences of the survivors, and \$20 million for national and community commemorative projects.

You don't have to show you were abused to get a common experience payment, and you can get one even if you had an abuse lawsuit, and even if you settled it.

You can object to the settlement if you don't like some part of

it. If you have an objection, you must by **August 25, 2006**, send an email to [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca), write to Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, or call toll free 1-866-879-4913. Be sure to explain why you are against the settlement, and include your name, the school(s) you attended, your address, and telephone number.

If you object, it will be considered at a settlement approval hearing. You may ask to speak at the hearing in the Court overseeing your claim. The hearing that affects you is generally based on where you now live (see the centre box).

As part of the settlement, the government will pay lawyers representing former students up

to approximately \$100 million in fees, plus costs and taxes. You don't have to hire a lawyer to object, and you don't have to hire and pay a lawyer to get a common experience payment once the claims process begins. Of course, you may hire your own lawyer and pay that lawyer to object, speak for you at a hearing, or represent you with an abuse claim. Call 1-866-879-4913 with questions about the settlement, or go to [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) to read a more detailed notice or the settlement agreement.

### The Court Hearings

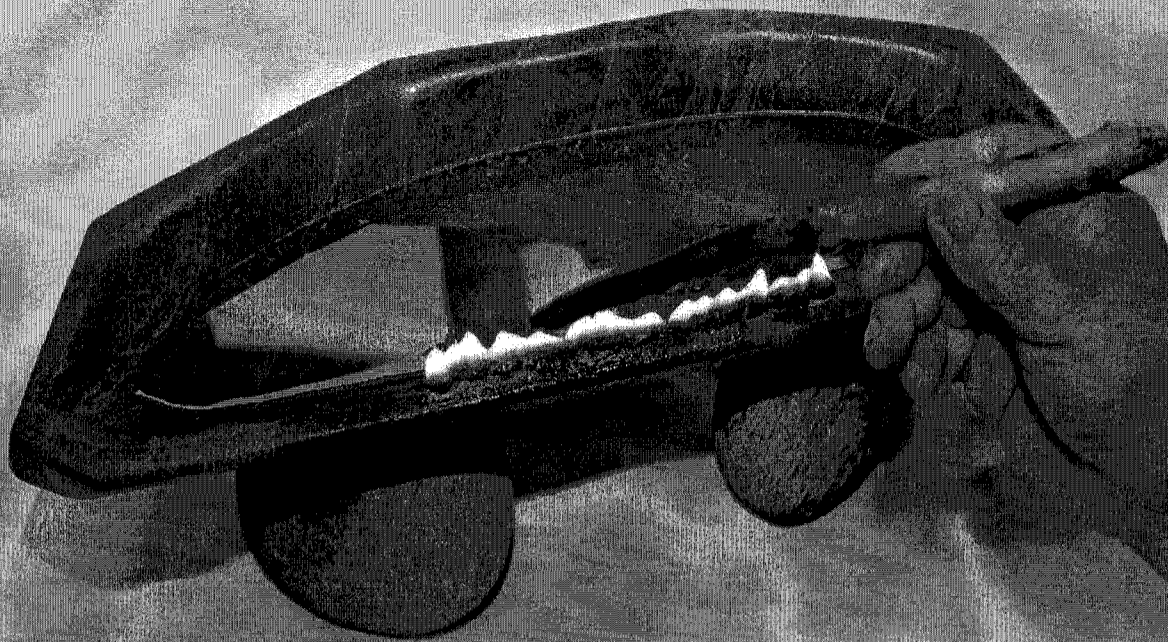
| <u>Court</u>          | <u>Date</u>     |
|-----------------------|-----------------|
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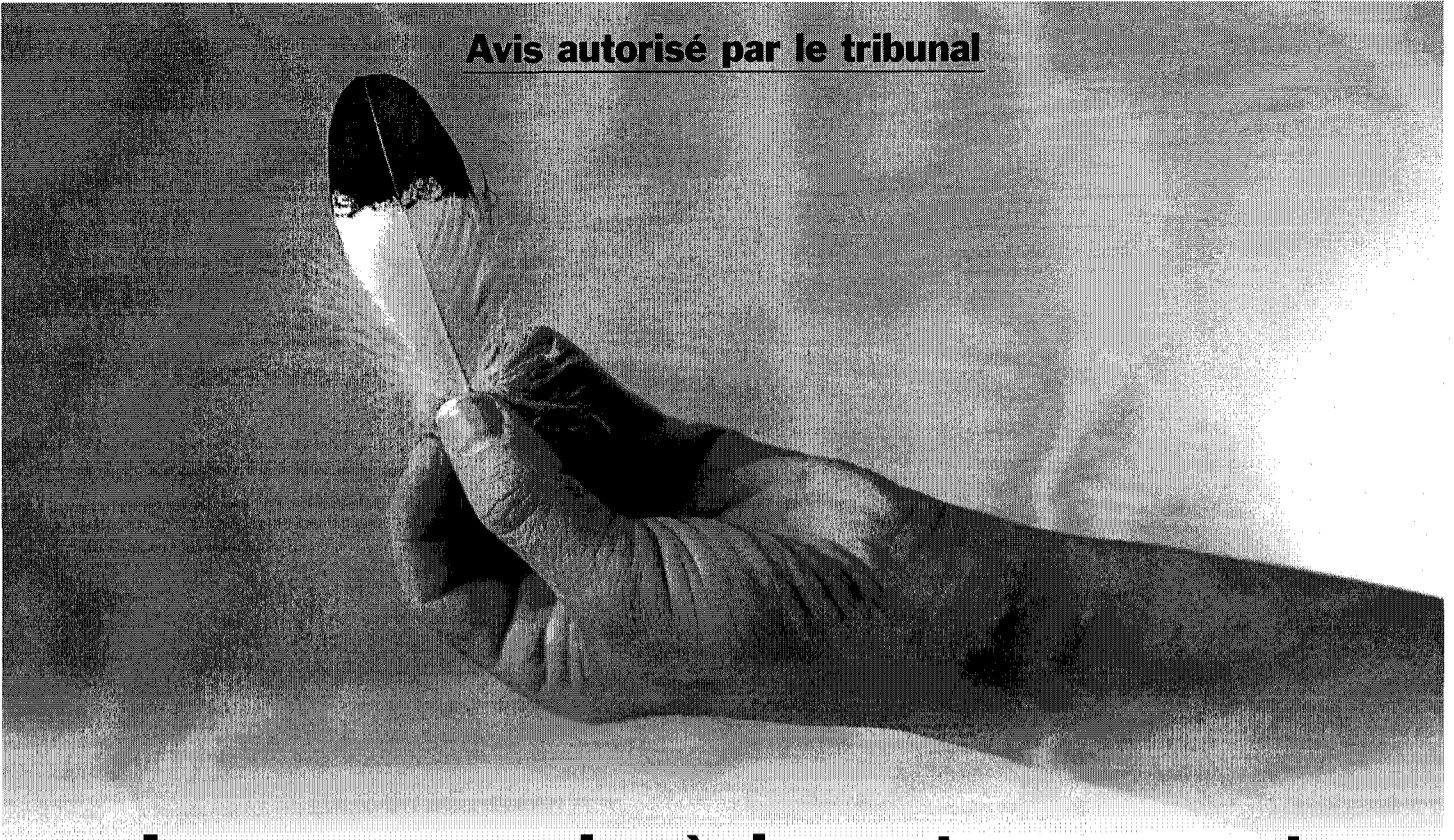
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**Avis autorisé par le tribunal**



## **Le processus de règlement concernant les pensionnats indiens a commencé. La guérison se poursuit.**

Le processus de règlement concernant les pensionnats indiens a commencé. Dans un premier temps, les anciens élèves et leur famille apprendront, par le truchement des avis initiaux, de quelle façon présenter leurs points de vue sur l'équité du règlement. Les tribunaux de toutes les parties du Canada tiendront des audiences publiques. Si tous les tribunaux approuvent le règlement à la suite de ces audiences, un autre avis sera distribué subséquemment afin d'expliquer aux gens la façon d'obtenir un paiement du règlement ou de s'en exclure.

Compte tenu du fait qu'il y a 80 000 Autochtones toujours vivants qui sont d'anciens élèves du système de pensionnats, le règlement offre :

1) Un montant d'au moins 1,9 milliard \$ en « paiements pour expérience commune » à l'intention des anciens élèves qui ont vécu dans les pensionnats. Les paiements se chiffreront à 10 000 \$ pour la première année (ou partie d'année), plus 3 000 \$ pour chaque année (ou partie d'année) subséquente.

2) Un processus permettant d'octroyer un montant variant de 5 000 \$ à 275 000 \$ aux personnes qui ont subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves. Les élèves pourraient obtenir un montant d'argent plus élevé s'ils ont également subi des pertes de revenus.

3) Un montant d'argent pour les programmes à l'intention des anciens élèves et de leur famille pour la guérison, la divulgation des faits, la réconciliation et la commémoration des pensionnats ainsi que des sévices subis : 125 M \$ pour la Fondation autochtone de guérison, 60 M \$ afin de rechercher, documenter et préserver les expériences des anciens élèves et 20 M \$ pour des projets commémoratifs communautaires et nationaux.

Vous n'avez pas besoin de démontrer que vous avez subi des sévices pour obtenir un paiement pour expérience commune et vous pouvez en obtenir un même si vous avez intenté une action

en justice pour sévices et même si vous l'avez réglé.

Vous pouvez vous objecter au règlement si vous êtes en désaccord avec une partie du règlement. Pour faire une objection, vous devez envoyer un courriel à l'adresse [objections@reglementpensionnatsindiens.ca](mailto:objections@reglementpensionnatsindiens.ca), écrire au Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord,

Waterloo, Ontario N2J 3G9 ou téléphoner sans frais au 1-866-879-4913 d'ici le **25 août 2006**.

Assurez-vous de bien expliquer les raisons pour lesquelles vous êtes en désaccord avec le règlement et d'inclure votre nom, le ou les pensionnats que vous avez fréquentés, votre adresse et votre numéro de téléphone.

Si vous avez présenté une objection, elle sera examinée lors d'une audience portant sur l'approbation du règlement. Vous pouvez demander de prendre la parole lors de l'audience du tribunal qui supervise votre revendication. L'audience qui vous concerne est généralement celle de l'endroit où vous vivez actuellement (*voir la case centrée*).

Dans le cadre du règlement, le gouvernement versera aux avocats représentant les anciens élèves une somme approximative maximale de 100 M \$ pour les honoraires, plus les coûts et les taxes. Vous n'êtes pas obligé de retenir les services d'un avocat

pour vous objecter au règlement et vous n'avez pas à embaucher et à payer un avocat afin d'obtenir un paiement d'expérience commune lorsque le processus de réclamations aura débuté. Évidemment, vous pouvez retenir les services de votre propre avocat moyennant rémunération pour vous objecter au règlement, parler en votre nom lors d'une audience ou vous représenter dans le cas d'une réclamation pour sévices.

Appelez le numéro sans frais 1-866-879-4913 si vous avez des questions concernant le règlement ou visitez l'adresse [www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca) afin de consulter l'avis plus détaillé ou la Convention de règlement.

### **Les audiences du tribunal**

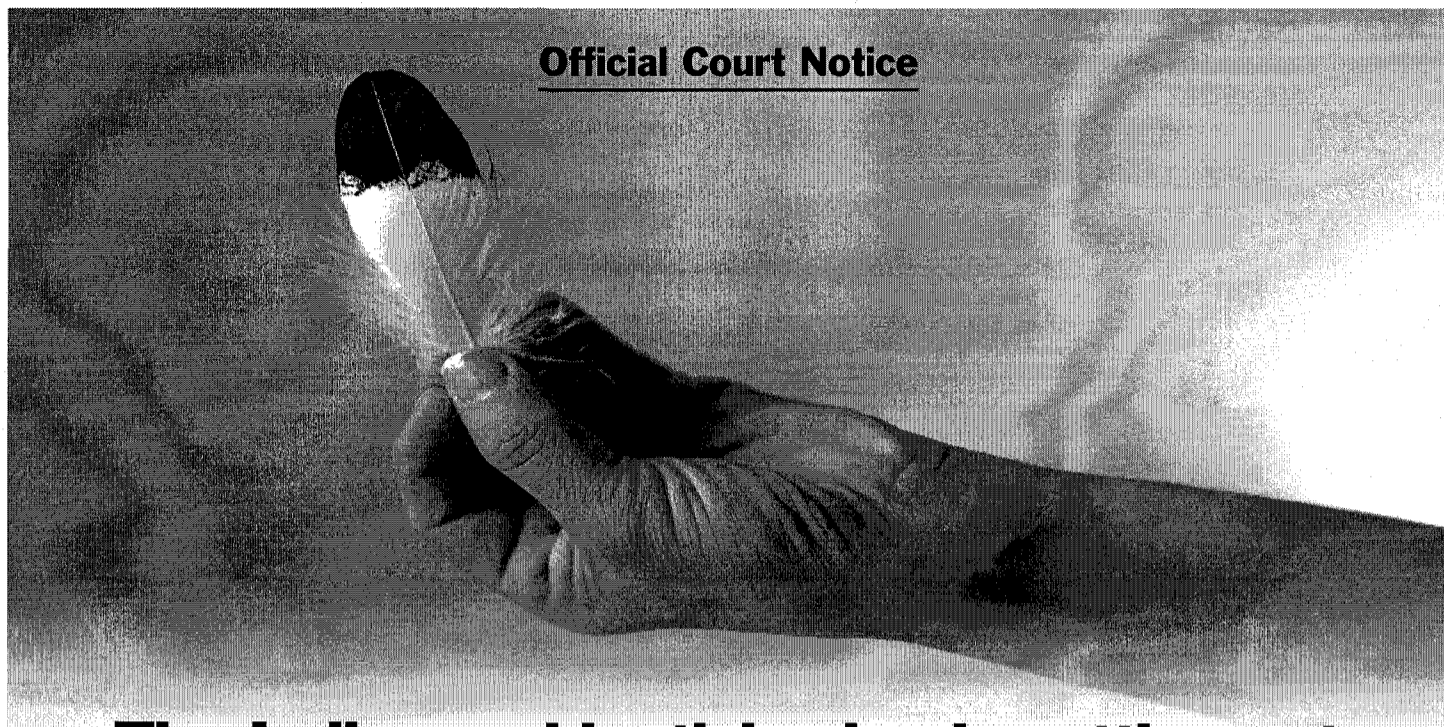
| <b>Tribunal</b>      | <b>Date</b>     |
|----------------------|-----------------|
| Ontario              | 29-31 août      |
| Québec               | 8 septembre     |
| Saskatchewan         | 18-20 septembre |
| Terr. du N.-O.       | 3-4 octobre     |
| Manitoba             | 5-6 octobre     |
| Nunavut              | 10-11 octobre   |
| Colombie-Britannique | 10-12 octobre   |
| Alberta              | 12-13 octobre   |
| Yukon                | 16-17 octobre   |

Si vous avez fréquenté le Mohawk Institute de Brantford, présentez-vous à l'audience en Ontario. Autrement, présentez-vous aux audiences dans votre province ou territoire. Si vous résidez au Labrador, au Nouveau-Brunswick, à Terre-Neuve, en Nouvelle-Écosse, à l'Île-du-Prince-Édouard ou à l'extérieur du Canada, présentez-vous aux audiences en Ontario. Les heures et le lieu précis sont indiqués dans un avis détaillé. Afin d'en obtenir une copie, communiquez avec nous de la façon suivante :

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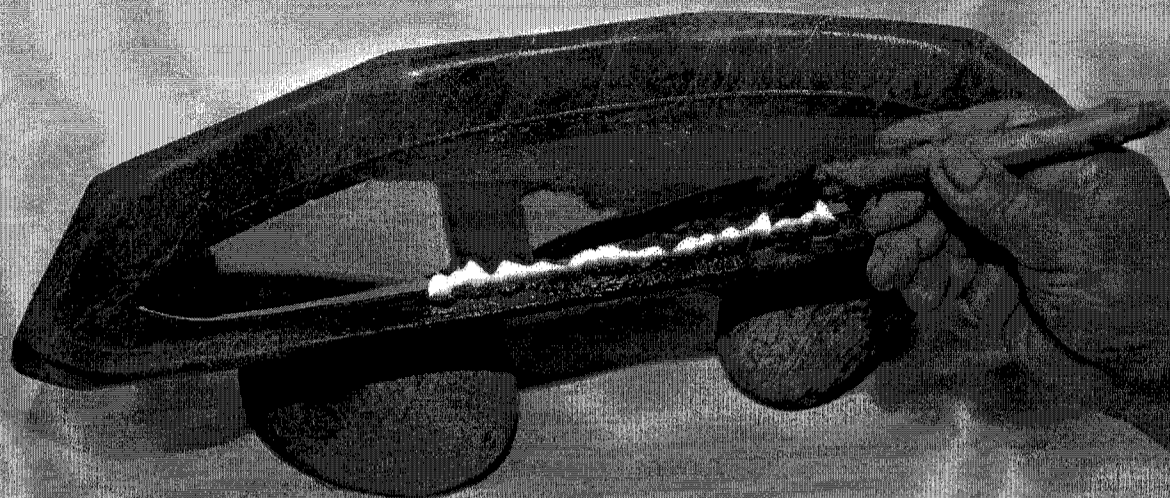
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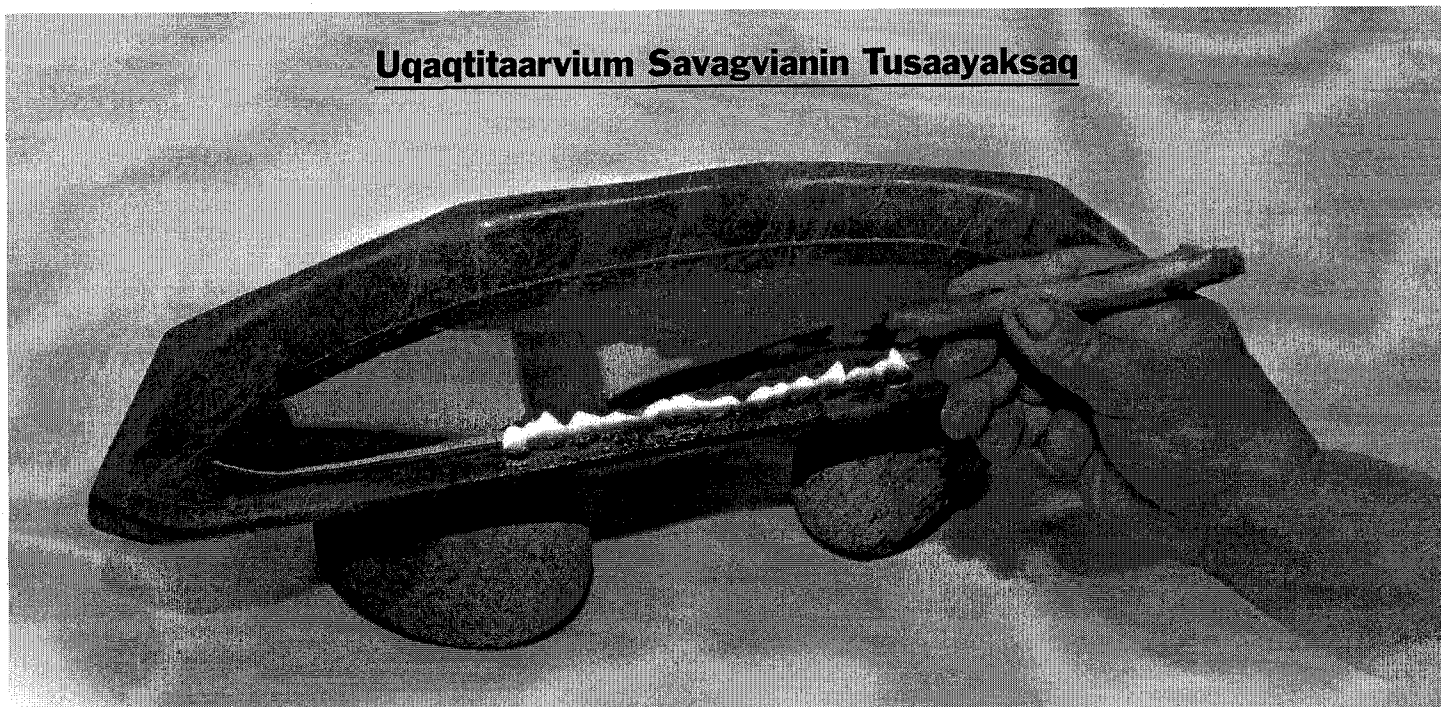
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## Uqaqtitaarvium Savagvianin Tusaayaksaq



# Ukuat ilisarvingmun ilisariaqtuat taimani piyaksait isagutiyuq. Maminniarutiksaq ittuq suli.

Ilisarvingmi inuuniaqtuat taimani piyaksait isaktuq. Sivullirmi, ukuani makpiraani quliaqtut, ilisariaqsimayuat taimani ilangitlu ilisarniaqtut qanuq isummamagaata piyaksaitigun iluarman. Aasiin, Uqaqtitaarviit Canadami nunangannikatimaqatiginarait. Taima aasiin katimaruirumik tusaammanikkumik inuinnin Uqaqtitaarviitkut ilurrigumiong kisanik angirnarait, allanik makpiraaliurniaqtuat aglaglugit taiguqsanik ilitthuripkarlugit qanuq akiliusailayuat piyaksainin asu luunniin ilaliusilaitkumik uqallautinarait.

Isumagiblugitlu Tan'ngungittuat inuuyuat qangma inugiaktiilaqtut 80,000tun ilisariaqsimayuat taimani ilisarvingmun, ukuanik pilayut:

1) Aktilaanganun \$1.9 billiontun maniiit "atdjijiktumik inuusiruaqtuat" akilinarait inuuniaqsimayuanun taimani ilisarvingmi. Akilinarait \$10,000tun sivullirmun ukiumun tadjvaniitkamik (asu avvangani ukiumi) suliptauq aasiin \$3,000tun maningnik akililugit kingullingnun ukiumun (asu avvangani ukiumi) kinguvatingnun.

2) Ikayurniarait tamatkuat nangittuat piyuaqtuatlu suuyariyuatlu, asu allakun sapiqtuat isumaaluutiruaqlutiklu isumangni, pilayut maningmik \$5,000min \$275,00mun aglaan atausiq inungnun. Maningnik allanik pilayut uqallautigupkit akiksangaiqtuatin maningnik sumin.

3) Maniiit atuaksat ikayurviksainun taimani inuuniaqtuanun ilisarvingmi ilangitlu maminniatqublugit, ilumuurniq, quviasuqatigiitqublugitlu, umigviksaalu itqaumaviat sannaiyarlugu ilisarviitigun taimani nanginmata tadjvani: \$125 milliontun maninniarutiksainun, \$60 milliontun atuaksaq nautchiurutiksainun, aglagviksainunlu, tuvvaqulugitlu inuusingit taimani isumayungnairlugit, suli \$20 milliontun maniiit atuaksanun nunanun tamainnunlu inuuniarvingnunlu quviasugviginiarumik tuvvaqurviksaa isumaaluutait.

Ilingnik takuuqtisilaitkitin qanuq suuyariyuatin taimani akiliusiaqtinnatin, pilagin akiliusiaq uqaqtitaarvikun piguvit sivuani, akiliusiaruvit uunniin tadjvannga pilayutin suli.

Iluarinngitkupku naaggailagin akiliusian. Iluarinngitatin, August 25, 2006ngutinnagu, aglaglugit qaritauyakun uvunga objections@residentialschoolsettlement.ca, aglaglugit uvunga Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9, asu ququarlugit akiruannigittuamun 1-866-879-4913.

Nalunairlugu suuq iluarinngitatin akiliusan, atqin ililugu, ilisarvik asu ilisarviit atingitlu ilisarvigiyatin, inuuniarviin, ququarviinlu.

Naggairupkit, katimaniaqtusi uqaqtatigiiglusii akiksaitigun. Apiqsulayutin uqarukkuvit akiliasian munaqsaitigun katimavingmi Uqaqtitaarvium savagviani. Katimaviksatin nunanga aglaksimayug uvani makpiraani naniitlaanga inuuniarviin qangma maliglugu (qitiqqaniituaq aglait taigurlugit).

Ilaliutlugu piyaksatin, kavamatkut akilinarait savaktit uqaqtitaarvingmi ikayuqtuat ilingnun akilaangatun akililayut \$100 milliontun tamainnun atautchilugit, atuqtatlu maningniklu taxesniglu. Nakuuginngittan uqallautigupkit lawyerkunnik pisunngitkuvit sunngitug, suliptauq pisunngitkuvit sugingnitaat akililaitkitin uunniin savautigumik ilingnun tutqiksaiyarnirmun akiliviksain. Ami, ilingnik pisukkuvit lawyernik ikayuqublutin akililagin ilipkuaqtutin isumaktun, ilingnun uqalayug qularlugit

suuyarittauyuatin ilisarvingmi. Ququarlutin 1-866-879-4913 apiqsuruaruvit piyaksaitigun, asu luunniin [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) taigurlugit aglaangit kangiqsisukkuvit kiilu piyaksaitigun.

### Uqaqtitaarviit Katimaviksait Ubluat

#### Iqaqtitaarviksaq

Ontario  
Québec  
Saskatchewan  
Northwest Territories  
Manitoba  
Nunavut  
British Columbia  
Alberta  
Yukon

#### Ublua

August 29-31  
September 8  
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Ilisaruvit uvani Mohawk Institute Brandtfordmi, katimayaqturlutin Ontario katimavianun. Asu luunniin, ilauyaqturlutin nunangni katimavianun. Inuuniaruvit Labradormi, New Brunswickmi, Newfoundlandmi, Nova Scotiammi, Prince Edward Islandmi, asu Kanatam silataani, katimayaqturlutin Ontariomun. Katimaviat aullaqqiviksait sumiitlaangatlu aglaksimayut nalunaivikluktut. Pisukkupsium, ququarlugit:

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A black and white photograph of a hand holding a feather. The hand is positioned in the lower right, with the feather pointing upwards and to the left. The background is a textured, light-colored surface.

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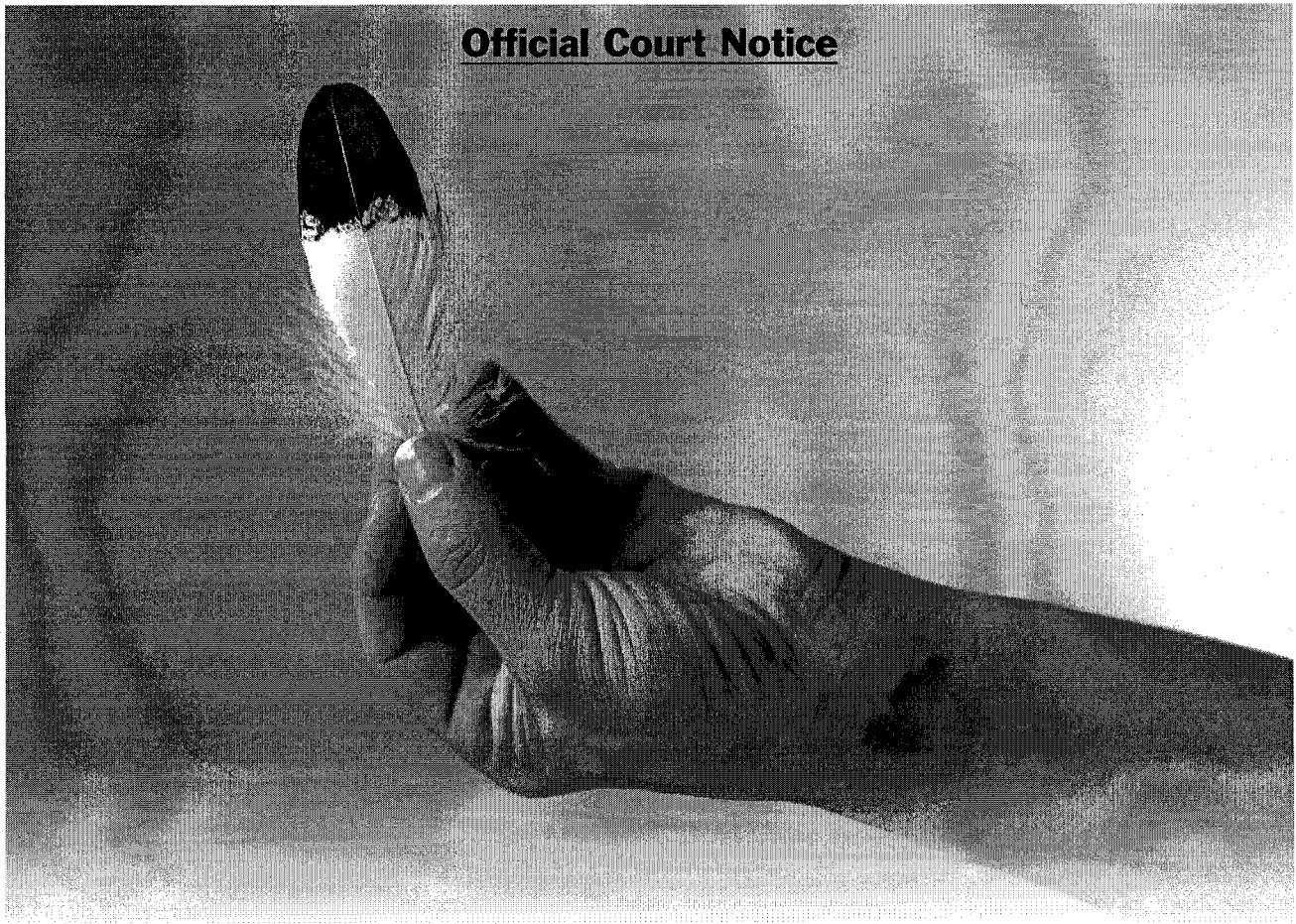
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**[www.reglementpensionnatsindiens.ca](http://www.reglementpensionnatsindiens.ca)**



## Official Court Notice

# The residential schools settlement process has begun. The healing continues.

The Indian residential schools settlement process has started. First, through these initial notices, former students and their families will learn how to give their views on the fairness of the settlement. Then, Courts across Canada will hold public hearings. If all the Courts approve the settlement after those hearings, another notice will be distributed to explain how to get a payment from the settlement or be excluded from it.

Considering the 80,000 living Aboriginal people who are former students of the residential school system, the settlement provides:

1) At least \$1.9 billion available for "common experience" payments to former students who lived at one of the schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that.

2) A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each. You could get more money if you also show a loss of income.

3) Money for programmes for former students and their families for healing, truth, reconciliation, and commemoration of the residential schools and the abuses suffered: \$125 million for healing, \$60 million to research, document, and preserve the experiences of the survivors, and \$20 million for national and community commemorative projects.

You don't have to show you were abused to get a common experience payment, and you can get one even if you had an abuse lawsuit, and even if you settled it.

You can object to the settlement if you don't like some part of it. If you have an objection, you must by **August 25, 2006**, send an email to [objections@residentialschoolsettlement.ca](mailto:objections@residentialschoolsettlement.ca), write to Residential Schools Settlement, Suite 3-505, 133 Weber

St. North, Waterloo, Ontario N2J 3G9, or call toll free 1-866-879-4913. Be sure to explain why you are against the settlement, and include your name, the school(s) you attended, your address, and telephone number.

If you object, it will be considered at a settlement approval hearing. You may ask to speak at the hearing in the Court overseeing your claim. The hearing that affects you is generally based on where you now live (see the centre box).

As part of the settlement, the government will pay lawyers representing former students up to approximately \$100 million in fees, plus costs and taxes. You don't have to hire a lawyer to object, and

you don't have to hire and pay a lawyer to get a common experience payment once the claims process begins. Of course, you may hire your own lawyer and pay that lawyer to object, speak for you at a hearing, or represent you with an abuse claim.

Call 1-866-879-4913 with questions about the settlement, or go to [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) to read a more detailed notice or the settlement agreement.

### The Court Hearings

| <u>Court</u>          | <u>Date</u>     |
|-----------------------|-----------------|
| Ontario               | August 29-31    |
| Québec                | September 8     |
| Saskatchewan          | September 18-20 |
| Northwest Territories | October 3-4     |
| Manitoba              | October 5-6     |
| Nunavut               | October 10-11   |
| British Columbia      | October 10-12   |
| Alberta               | October 12-13   |
| Yukon                 | October 16-17   |

If you attended the Mohawk Institute in Brantford, go to the Ontario hearing. Otherwise, go to the hearing in your Province/Territory. If you live in Labrador, New Brunswick, Newfoundland, Nova Scotia, Prince Edward Island, or outside Canada, go to the Ontario hearing. The exact times and locations are in a detailed notice. To get one, contact:

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Call 1-866-879-4913 with questions about the settlement, or go to [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) to read a more detailed notice or the settlement agreement.

### The Court Hearings

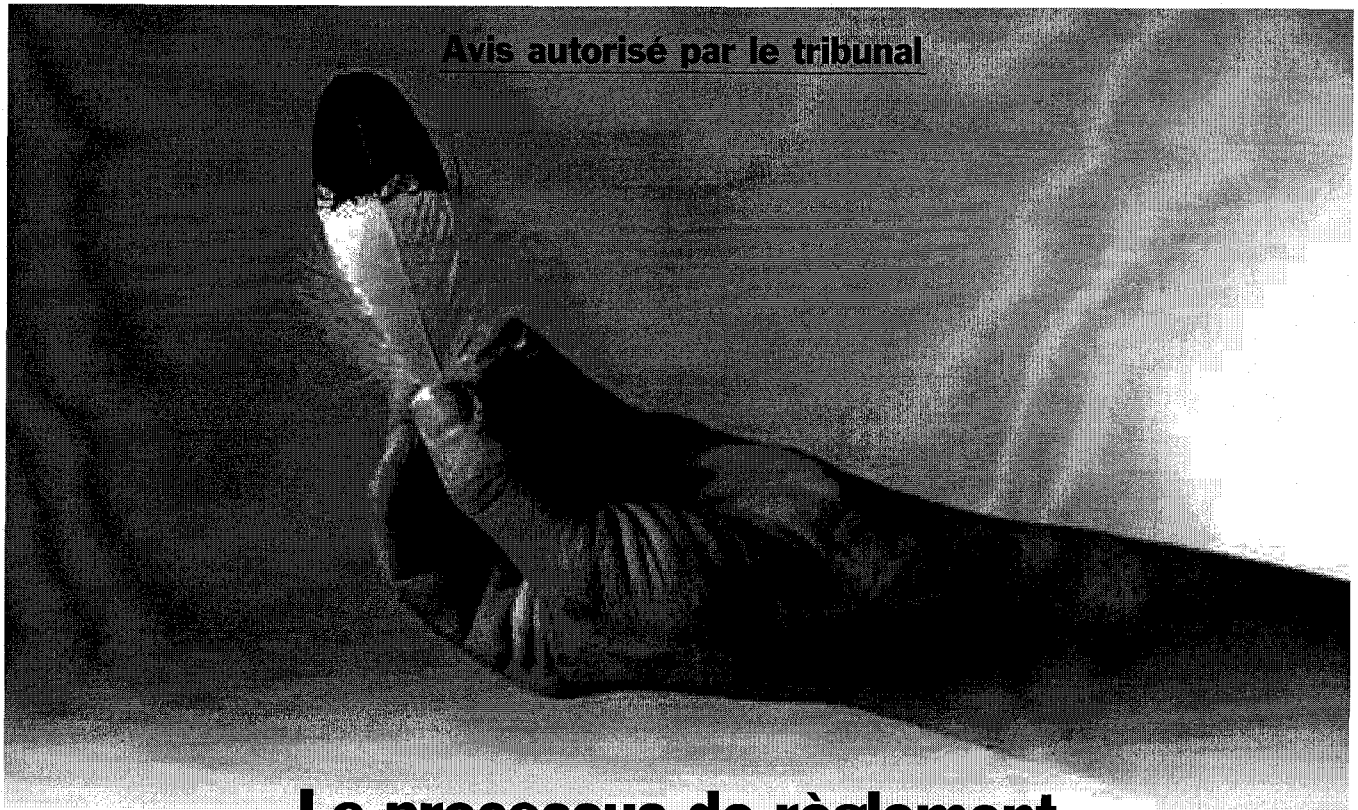
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|-----------------------|-----------------|
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**1-866-879-4913**

**[www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca)**

**Avis autorisé par le tribunal**



## **Le processus de règlement concernant les pensionnats a commencé. La guérison se poursuit.**

Le processus de règlement concernant les pensionnats indiens a commencé. Dans un premier temps, les anciens élèves et leur famille apprendront, par le truchement des avis initiaux, de quelle façon présenter leurs points de vue sur l'équité du règlement. Les tribunaux de toutes les parties du Canada tiendront des audiences publiques. Si tous les tribunaux approuvent le règlement à la suite de ces audiences, un autre avis sera distribué subséquemment afin d'expliquer aux gens la façon d'obtenir un paiement du règlement ou de s'en exclure.

Compte tenu du fait qu'il y a 80 000 Autochtones toujours vivants qui sont d'anciens élèves du système de pensionnats, le règlement offre :

1) Un montant d'au moins 1,9 milliard \$ en « paiements pour expérience commune » à l'intention des anciens élèves qui ont vécu dans les pensionnats. Les paiements se chiffrent à 10 000 \$ pour la première année (ou partie d'année), plus 3 000 \$ pour chaque année (ou partie d'année) subséquente.

2) Un processus permettant d'octroyer un montant variant de 5 000 \$ à 275 000 \$ aux personnes qui ont subi des sévices sexuels ou physiques graves ou d'autres sévices qui ont eu des conséquences psychologiques graves. Les élèves pourraient obtenir un montant d'argent plus élevé s'ils ont également subi des pertes de revenus.

3) Un montant d'argent pour les programmes à l'intention des anciens élèves et de leur famille pour la guérison, la divulgation des faits, la réconciliation et la commémoration des pensionnats ainsi que des sévices subis : 125 M \$ pour la Fondation autochtone de guérison, 60 M \$ afin de rechercher, documenter et préserver les expériences des anciens élèves et 20 M \$ pour des projets commémoratifs communautaires et nationaux.

Vous n'avez pas besoin de démontrer que vous avez subi des sévices pour obtenir un paiement pour expérience commune et vous pouvez en obtenir un même si vous avez intenté une action

en justice pour sévices et même si vous l'avez réglé.

Vous pouvez vous objecter au règlement si vous êtes en désaccord avec une partie du règlement. Pour faire une objection, vous devez envoyer un courriel à l'adresse [objections@reglementpensionnatsindiens.ca](mailto:objections@reglementpensionnatsindiens.ca), écrire au Règlement concernant les pensionnats, suite 3-505, 133 rue Weber Nord,

Waterloo, Ontario N2J 3G9 ou téléphoner sans frais au 1-866-879-4913 d'ici le **25 août 2006**. Assurez-vous de bien expliquer les raisons pour lesquelles vous êtes en désaccord avec le règlement et d'inclure votre nom, le ou les pensionnats que vous avez fréquentés, votre adresse et votre numéro de téléphone.

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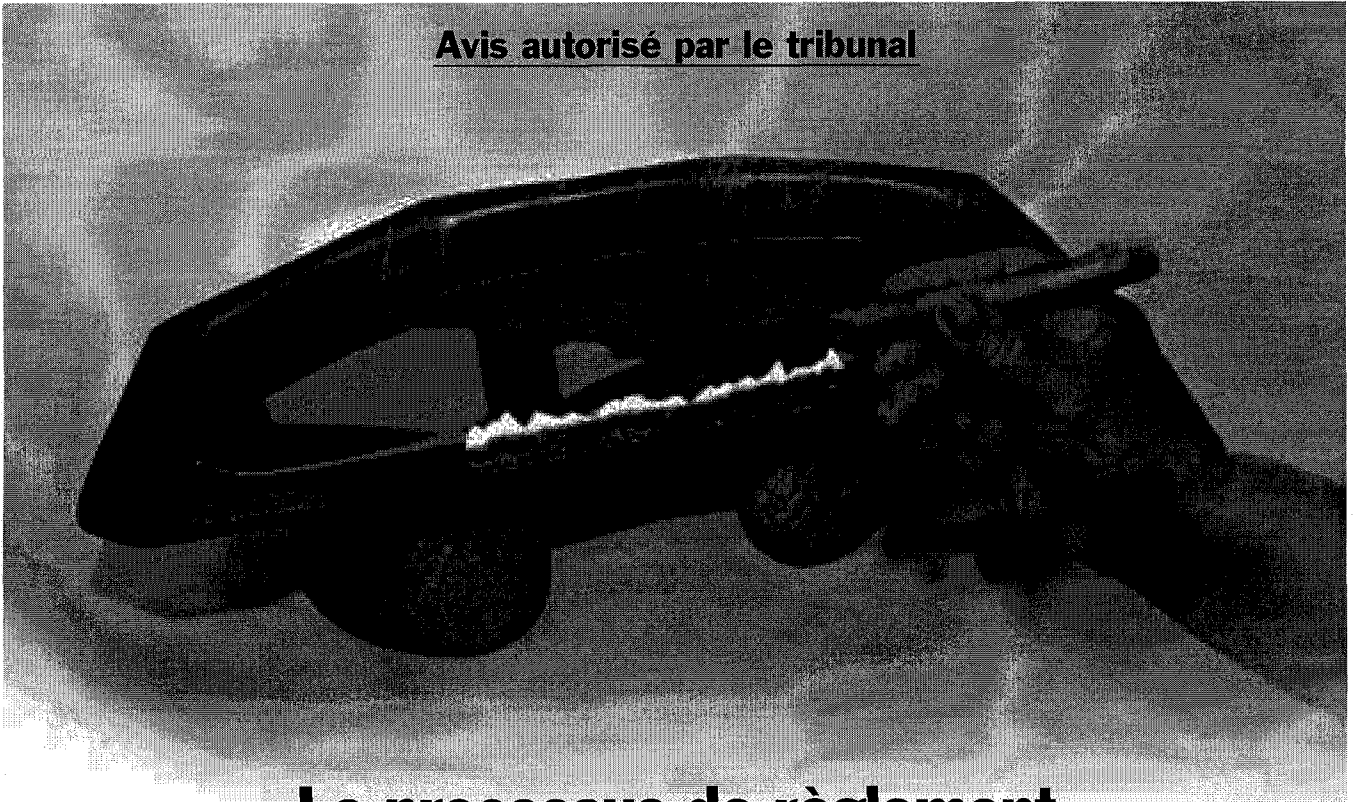
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# Radio Commercials

We produced the following radio spots:

| <b><u>CODE</u></b> | <b><u>LANGUAGE</u></b>                     |
|--------------------|--|
| IND-RAD-ATIK       | Atikamekw                                  |
| IND-RAD-CHIP       | Chipewyan (Denesuline)                     |
| IND-RAD-COCR       | Coastal Cree                               |
| IND-RAD-CRE        | Cree                                       |
| IND-RAD-CREW       | Cree (Woodland)                            |
| IND-RAD-DENE       | Dene                                       |
| IND-RAD-DOG        | Dogrib (Tlicho)                            |
| IND-RAD-ENG        | English                                    |
| IND-RAD-FRE        | French                                     |
| IND-RAD-GWI        | Gwich'n                                    |
| IND-RAD-GWIT       | Gwitch'n                                   |
| IND-RAD-INN        | Innu                                       |
| IND-RAD-NSL        | North Slavey                               |
| IND-RAD-OJCR       | Oji-Cree                                   |
| IND-RAD-OJIB       | Ojibway                                    |
| IND-RAD-OJWE       | Ojibwe                                     |
| IND-RAD-QCR        | Quebec Cree                                |
| IND-RAD-SSL        | South Slavey                               |
| IND-RAD-STUT       | Southern Tutchone                          |
| IND-RAD-TLIN       | Tlingit                                    |
| INU-RAD-ENG        | English for Inuit communities              |
| INU-RAD-FRE        | French for Inuit communities               |
| INU-RAD-INKH       | Inuktitut (Hudson) for Inuit communities   |
| INU-RAD-INKL       | Inuktitut (Labrador) for Inuit communities |

The following pages show the radio script in English as it was finalized for translation and recording into the various languages and dialects.

Hilsoft Notifications  
Residential Schools – Phase 1 “Healing” radio script

Radio script for translation & recording

The Indian residential schools settlement process has begun. First, former students and their families may give their views on the settlement and then court hearings will be held across Canada. If the settlement is approved after the court hearings, additional notices will explain how to get a payment from the settlement or be excluded from it. To learn more, or to get a detailed notice package in the mail, call 1-866-879-4913. 1-866-879-4913. The residential schools settlement. The healing continues.



Hilsoft Notifications  
Residential Schools – Phase 1 “Healing” Radio Script  
June 26, 2006

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# Television Commercials

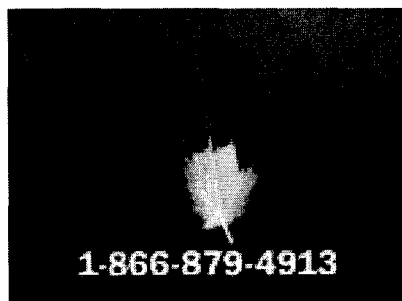
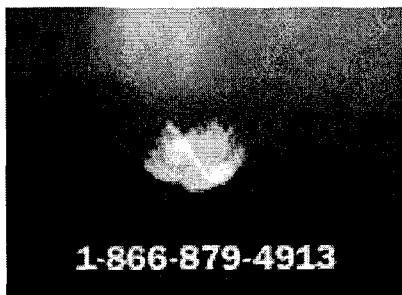
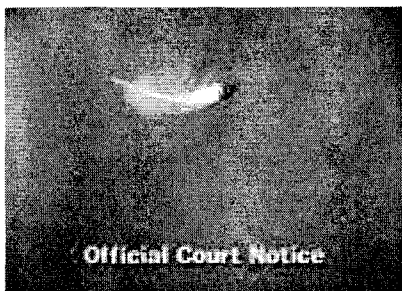
We produced the following television commercials:

| <b><u>CODE</u></b> | <b><u>LANGUAGE</u></b>          |
|--------------------|---------------------------------|
| IND-TV-CRE         | Cree                            |
| IND-TV-DOG         | Dogrib (Tlicho)                 |
| IND-TV-ENG         | English                         |
| IND-TV-FRE         | French                          |
| IND-TV-INN         | Innu                            |
| INU-TV-ENG         | English for Inuit communities   |
| INU-TV-INK         | Inuktitut for Inuit communities |

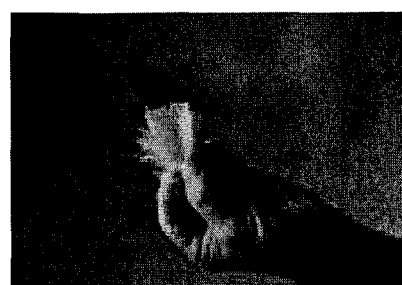
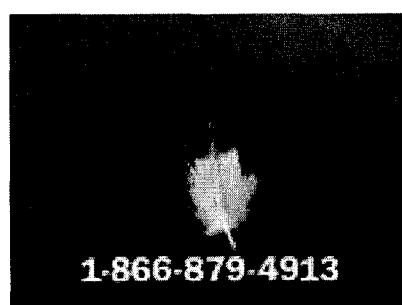
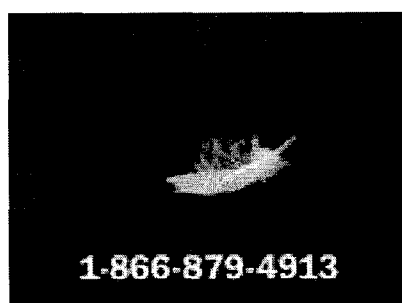
The following pages show the television storyboards in English and French as it they were finalized for translation and recording into the various languages and dialects.

Video

Audio

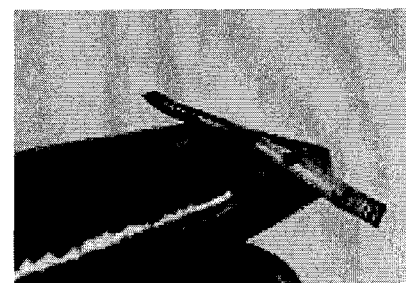
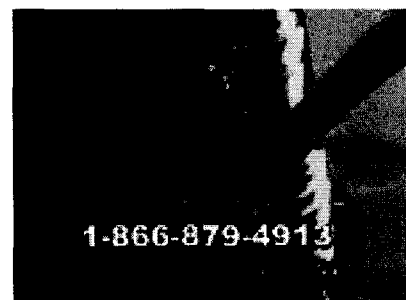


The Indian residential schools settlement process has begun. First, former students and their families may give their views on the settlement, and court hearings will be held across Canada. Then, if the settlement is approved, payments may be requested. To learn more, call 1-866-879-4913. 1-866-879-4913. The residential schools settlement. The healing continues.

VideoAudio

Le processus de règlement de la question des pensionnats indiens a commencé. D'abord, les tribunaux de toutes les parties du Canada tiendront des audiences pour déterminer si le règlement est équitable, raisonnable et approprié. Les anciens élèves et leur famille peuvent s'objecter au règlement et demander à prendre la parole durant l'une des audiences. Si tous les tribunaux approuvent le règlement après ces audiences, un autre avis sera diffusé afin d'expliquer comment les gens peuvent obtenir un paiement ou s'exclure du règlement. Pour obtenir de plus amples renseignements, composez sans frais le 1-866-879-4913. 1-866-879-4913. Le processus de règlement concernant les pensionnats a commencé. La guérison se poursuit.

Video



Audio

The residential schools settlement process has begun. First, former students and their families may give their views on the settlement, and court hearings will be held across Canada. Then, if the settlement is approved, payments may be requested. To learn more, call 1-866-879-4913. 1-866-879-4913. The residential schools settlement. The healing continues.

**AFFIDAVIT OF** GÉRARD CARON

I, GÉRARD CARON, of the city of GATINEAU in the  
Province of QUÉBEC, **MAKE OATH AND SAY:**

I hereby certify that the following is, to the best of my knowledge and belief, a true and accurate translation of the following documents in the In Re Indian Residential Schools case, translated from:

- English to French,
- English to Inuktitut,
- English to Inuttitut,
- English to Innuinaqtun,
- English to Oji-Cree,

Documents translated are:

- Detailed Notice
- First Nation Band Fax Notice
- Indian Residential Schools Class Action Website
- Individual Mailed Notice cover
- Organization Mailed Notice cover
- Press Release to Crawford
- Quebec Pending Individual Mail
- Summary Notice to Crawford
- Envelope
- TV Notice
- Radio Notice

Signed

*Gérard Caron*

SWORN before me at the City of GATINEAU,

on the 20 Day of MARCH

*Sylvie Branger*  
Commissioner for Taking Affidavits/Notary Public



)  
)  
)  
)  
\_\_\_\_\_

## AFFIDAVIT OF EVA PILURTUUT

I, EVA PILURTUUT of the city of Montreal in the Province of Québec **MAKE OATH AND SAY:**

I hereby certify that the following is, to the best of my knowledge and belief, a true and accurate translation of the following documents in the In Re Indian Residential Schools case, translated from:

- English to French,
- English to Inuktitut,
- English to Innuinaqtun,
- English to Oji-Cree,

Documents translated are:

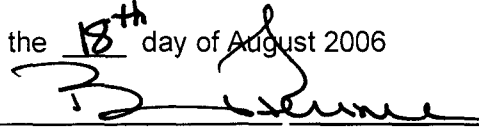
- Detailed Notice
- First Nation Band Fax Notice
- Indian Residential Schools Class Action Website
- Individual Mailed Notice Cover
- Organization Mailed Notice Cover
- Press Release to Crawford
- Quebec Pending Individual Mail
- Summary Notice to Crawford
- Envelope
- TV Notice
- Radio Notice

Signed



SWORN before me at the City of Montreal

on the 18<sup>th</sup> day of August 2006

  
Commissioner for Taking Affidavits/Notary Public

AVOCAT, BARRERAN du Québec, 176459-4



**Radio Station Transmitter Locations.** Below is a partial list of the radio station/transmitter locations.

| <i>Transmitter Location</i>       | <i>Province/Territory</i> | <i>Network</i>          |
|-----------------------------------|---------------------------|-------------------------|
| Abitibi                           | Québec                    | First Nations in Québec |
| Abitibi (Amos)                    | Québec                    | First Nations in Québec |
| Abitibi (Notre-Dame-du-Nord)      | Québec                    | First Nations in Québec |
| Abitibi (Val d' Or)               | Québec                    | First Nations in Québec |
| Abitibi et Nord du Quebec         | Québec                    | First Nations in Québec |
| Ahtakakoop                        | Saskatchewan              | MBC                     |
| Aklavik                           | NT                        | CHON-FM, CKLB-FM        |
| Akulivik                          | Québec                    | TNI                     |
| Alexander                         | Alberta                   | CFWE-FM                 |
| Alexandria                        | British Columbia          | CFNR                    |
| Alexis                            | Alberta                   | CFWE-FM                 |
| Alkali Lake                       | British Columbia          | CFNR                    |
| Anzac                             | Alberta                   | CFWE-FM                 |
| Assumption                        | Alberta                   | CFWE-FM                 |
| Atikameg                          | Alberta                   | CFWE-FM                 |
| Atlin                             | British Columbia          | CFNR, CHON-FM           |
| Aupaluk                           | Québec                    | TNI                     |
| Basse Cote-Nord                   | Québec                    | SOCAM                   |
| Basse Cote-Nord (Havre St-Pierre) | Québec                    | SOCAM                   |
| Bear Creek                        | Saskatchewan              | MBC                     |
| Beauval                           | Saskatchewan              | MBC                     |
| Beaver Creek                      | Yukon                     | CHON-FM                 |
| Beaver Lake                       | Alberta                   | CFWE-FM                 |
| Bella Bella                       | British Columbia          | CFNR                    |
| Bella Coola                       | British Columbia          | CFNR                    |
| Berens River                      | Manitoba                  | NCI-FM                  |
| Big Island Lake                   | Saskatchewan              | MBC                     |
| Big River                         | Saskatchewan              | MBC                     |
| Black Lake                        | Saskatchewan              | MBC                     |
| Bloodvein                         | Manitoba                  | NCI-FM                  |
| Blueberry River                   | British Columbia          | CFNR                    |
| Boig River                        | British Columbia          | CFNR                    |
| Bowsman                           | Manitoba                  | NCI-FM                  |
| Boyer River                       | Alberta                   | CFWE-FM                 |
| Brabant Cable                     | Saskatchewan              | MBC                     |
| Brandon & Westman area            | Manitoba                  | NCI-FM                  |

**Radio Station Transmitter Locations**

**Exhibit 4**

|                         |                       |         |
|-------------------------|-----------------------|---------|
| Brochet                 | Manitoba              | NCI-FM  |
| Broken Head             | Manitoba              | NCI-FM  |
| Broman Lake             | British Columbia      | CFNR    |
| Buffalo Lake Settlement | Alberta               | CFWE-FM |
| Buffalo Narrows         | Saskatchewan          | MBC     |
| Burns/Babine Lake       | British Columbia      | CFNR    |
| Burwash Landing         | Yukon                 | CHON-FM |
| Bushe River             | Alberta               | CFWE-FM |
| Cadotte Lake            | Alberta               | CFWE-FM |
| Camperville/Pine Creek  | Manitoba              | NCI-FM  |
| Camsell Portage         | Saskatchewan          | MBC     |
| Canim Lake              | British Columbia      | CFNR    |
| Canoe Creek             | British Columbia      | CFNR    |
| Canoe Lake              | Saskatchewan          | MBC     |
| Canyon City             | British Columbia      | CFNR    |
| Carcross                | Yukon                 | CHON-FM |
| Carmacks                | Yukon                 | CHON-FM |
| Chard                   | Saskatchewan          | MBC     |
| Cheslatta               | British Columbia      | CFNR    |
| Chipewyan Lake          | Alberta               | CFWE-FM |
| Chisasibi               | Québec                | JBCCS   |
| Churchill               | Manitoba              | NCI-FM  |
| Cluff Lake              | Saskatchewan          | MBC     |
| Cole Bay                | Saskatchewan          | MBC     |
| Colville Lake           | Northwest Territories | CKLB-FM |
| Comorant                | Manitoba              | NCI-FM  |
| Conklin                 | Alberta               | CFWE-FM |
| Cote Nord (Tadoussac)   | Québec                | SOCAM   |
| Cote-Nord               | Québec                | SOCAM   |
| Cote-Nord (Baie-Comeau) | Québec                | SOCAM   |
| Cranberry Portage       | Manitoba              | NCI-FM  |
| Creighton Flin-Flon     | Saskatchewan          | MBC     |
| Cross Lake              | Manitoba              | NCI-FM  |
| Cumberland House        | Saskatchewan          | MBC     |
| Dauphin & Westman area  | Manitoba              | NCI-FM  |
| Dauphin River           | Manitoba              | NCI-FM  |
| Dawson                  | Yukon                 | CHON-FM |
| Dease Lake              | British Columbia      | CFNR    |
| Denare Beach            | Saskatchewan          | MBC     |
| Deschambault            | Saskatchewan          | MBC     |
| Detruccion Bay          | Yukon                 | CHON-FM |
| Dettah                  | Northwest Territories | CKLB-FM |
| Dillon                  | Saskatchewan          | MBC     |
| Dog Creek               | British Columbia      | CFNR    |
| Duck Bay                | Manitoba              | NCI-FM  |

**Radio Station Transmitter Locations**

**Exhibit 4**

|                         |                       |                         |
|-------------------------|-----------------------|-------------------------|
| Duck Lake/Beardy's      | Saskatchewan          | MBC                     |
| Duncan't Band           | Alberta               | CFWE-FM                 |
| East Prairie            | Alberta               | CFWE-FM                 |
| Easterville             | Manitoba              | NCI-FM                  |
| Eastman                 | Québec                | JBCCS                   |
| Edzo                    | Northwest Territories | CKLB-FM                 |
| Enterprise              | Northwest Territories | CKLB-FM                 |
| Fairford                | Manitoba              | NCI-FM                  |
| Faro                    | Yukon                 | CHON-FM                 |
| Fisher River            | Manitoba              | NCI-FM                  |
| Flin Flon               | Manitoba              | NCI-FM                  |
| Fond du Lac             | Saskatchewan          | MBC                     |
| Fort Alexander/Sagkeeng | Manitoba              | NCI-FM                  |
| Fort Babine             | British Columbia      | CFNR                    |
| Fort Good Hope          | Northwest Territories | CKLB-FM                 |
| Fort Liars              | Northwest Territories | CKLB-FM                 |
| Fort McPherson          | Northwest Territories | CKLB-FM                 |
| Fort Resolution         | Northwest Territories | CKLB-FM                 |
| Fort Saint James        | British Columbia      | CFNR                    |
| Fort Simpson            | Northwest Territories | CKLB-FM                 |
| Fort Smith              | Northwest Territories | CKLB-FM                 |
| Fort Ware               | British Columbia      | CFNR                    |
| Fox Lake                | Alberta               | CFWE-FM, NCI-FM         |
| Ft. Chipewyan           | Alberta               | CFWE-FM                 |
| Ft. McKay               | Alberta               | CFWE-FM                 |
| Garden Hill             | Manitoba              | NCI-FM                  |
| Garden River            | Alberta               | CFWE-FM                 |
| Garson Lake             | Saskatchewan          | MBC                     |
| Gaspésie                | Québec                | First Nations in Québec |
| Gaspésie (Bonaventure)  | Québec                | First Nations in Québec |
| Gillam                  | Manitoba              | NCI-FM                  |
| Gitanyow                | British Columbia      | CFNR                    |
| Gitsegukla              | British Columbia      | CFNR                    |
| Gitwangak               | British Columbia      | CFNR                    |
| God's Lake Narrows      | Manitoba              | NCI-FM                  |
| God's River             | Manitoba              | NCI-FM                  |
| Good Hope Lake          | British Columbia      | CFNR, CHON-FM           |
| Goodfish Lake           | Alberta               | CFWE-FM                 |
| Grand Rapids            | Manitoba              | NCI-FM                  |
| Grandmothers Bay        | Saskatchewan          | MBC                     |
| Green Lake              | Saskatchewan          | MBC                     |
| Greenville              | British Columbia      | CFNR                    |
| Haines Junction         | Yukon                 | CHON-FM                 |
| Halfway River           | British Columbia      | CFNR                    |
| Happy Valley-Goose Bay  | Labrador              | CKOK                    |

**Radio Station Transmitter Locations**

**Exhibit 4**

|                               |                       |             |
|-------------------------------|-----------------------|-------------|
| Hartley Bay                   | British Columbia      | CFNR        |
| Hay River                     | Northwest Territories | CKLB-FM     |
| Hay River Reserve             | Northwest Territories | CKLB-FM     |
| Hazelton                      | British Columbia      | CFNR        |
| High Prairie                  | Alberta               | CFWE-FM     |
| Hobbema                       | Alberta               | CFWE-FM     |
| Hollow Water/Manigotagan      | Manitoba              | NCI-FM      |
| Holman                        | Northwest Territories | CKLB-FM     |
| Hopedale                      | Labrador              | CKOK        |
| Horse Lake                    | Alberta               | CFWE-FM     |
| Ile a La Crosse               | Saskatchewan          | MBC         |
| Ilford/War Lake               | Manitoba              | NCI-FM      |
| Inukjuak                      | Québec                | TNI         |
| Iskut                         | British Columbia      | CFNR        |
| Ivujuvik                      | Québec                | TNI         |
| Jackhead                      | Manitoba              | NCI-FM      |
| James Smith                   | Saskatchewan          | MBC         |
| Jans Bay                      | Saskatchewan          | MBC         |
| Jean D'or Prairie             | Alberta               | CFWE-FM     |
| Jean Marie River              | Northwest Territories | CKLB-FM     |
| Joussard                      | Alberta               | CFWE-FM     |
| Kakisa                        | Northwest Territories | CKLB-FM     |
| Kangiqsuallujaq               | Québec                | TNI         |
| Kangiqsujuaq                  | Québec                | TNI         |
| Kangirsuk                     | Québec                | TNI         |
| Keeseekoose                   | Saskatchewan          | MBC         |
| Keno                          | Yukon                 | CHON-FM     |
| Kenora, ON & surrounding area | Manitoba              | NCI-FM      |
| Key Lake                      | Saskatchewan          | MBC         |
| Kincolith                     | British Columbia      | CFNR        |
| Kinnosao CBl                  | Saskatchewan          | MBC         |
| Kispiox                       | British Columbia      | CFNR        |
| Kitamaat                      | British Columbia      | CFNR        |
| Kitkatla                      | British Columbia      | CFNR        |
| Klemtu                        | British Columbia      | CFNR        |
| Kuujjuaq                      | Québec                | TNI         |
| Kuujjuaraapik                 | Québec                | TNI         |
| La la Plonge                  | Saskatchewan          | MBC         |
| La Loche                      | Saskatchewan          | MBC         |
| La Ronge                      | Saskatchewan          | MBC         |
| Lac Brochet                   | Saskatchewan          | MBC, NCI-FM |
| Lac La Biche                  | Alberta               | CFWE-FM     |
| Lac St-Jean (Roberval)        | Québec                | SOCAM       |
| Lake Manitoba                 | Manitoba              | NCI-FM      |
| Lake St. Martin               | Manitoba              | NCI-FM      |

**Radio Station Transmitter Locations**
**Exhibit 4**

|                                 |                       |                         |
|---------------------------------|-----------------------|-------------------------|
| Leaf Rapids                     | Manitoba              | NCI-FM                  |
| Little Saskatchewan             | Manitoba              | NCI-FM                  |
| Little Grand Rapids             | Manitoba              | NCI-FM                  |
| Long Plains                     | Manitoba              | NCI-FM                  |
| Lower Post                      | British Columbia      | CFNR, CHON-FM           |
| Lutselk'e                       | Northwest Territories | CKLB-FM                 |
| Lynn Lake/Marcel Colomb         | Manitoba              | NCI-FM                  |
| MacArthur River                 | Saskatchewan          | MBC                     |
| Macleod Lake                    | British Columbia      | CFNR                    |
| Makkovik                        | Labrador              | CKOK                    |
| Makwa Sahgaiehcan               | Saskatchewan          | MBC                     |
| Masset                          | British Columbia      | CFNR                    |
| Mauricie (La tuque, Parent)     | Québec                | SOCAM                   |
| Mauricie (Reservoir Gouin)      | Québec                | SOCAM                   |
| Mauricie (St-Michel des Saints) | Québec                | SOCAM                   |
| Mayo                            | Yukon                 | CHON-FM                 |
| Meadow Lake                     | Saskatchewan          | MBC                     |
| Meander River                   | Alberta               | CFWE-FM                 |
| Metlakatla                      | British Columbia      | CFNR                    |
| Minitonas                       | Manitoba              | NCI-FM                  |
| Mistissini                      | Québec                | JBCCS                   |
| Moberly Lakes                   | British Columbia      | CFNR                    |
| Montréal                        | Québec                | First Nations in Québec |
| Montreal Lake                   | Saskatchewan          | MBC                     |
| Moose Hills                     | Alberta               | CFWE-FM                 |
| Moose Lake                      | Manitoba              | NCI-FM                  |
| Morricetown                     | British Columbia      | CFNR                    |
| Nahanni Butte                   | Northwest Territories | CKLB-FM                 |
| Nain                            | Labrador              | CKOK                    |
| Nautley                         | British Columbia      | CFNR                    |
| Ndilo                           | Northwest Territories | CKLB-FM                 |
| Necoslie                        | British Columbia      | CFNR                    |
| Nelson House                    | Manitoba              | NCI-FM                  |
| Nemaiah Valley                  | British Columbia      | CFNR                    |
| Nemaska                         | Québec                | JBCCS                   |
| New Aiyansh                     | British Columbia      | CFNR                    |
| Norman Wells                    | Northwest Territories | CKLB-FM                 |
| North Battleford                | Saskatchewan          | MBC                     |
| North Tallcree                  | Alberta               | CFWE-FM                 |
| North West River                | Labrador              | CKOK                    |
| Norway House                    | Manitoba              | NCI-FM                  |
| Nouveau-Quebec (Shefferville)   | Québec                | SOCAM                   |
| Old Crow                        | Yukon                 | CHON-FM                 |
| Onion Lake                      | Saskatchewan          | MBC                     |
| Ouje-Bougoumou                  | Québec                | JBCCS                   |

**Radio Station Transmitter Locations**

**Exhibit 4**

|                            |                       |         |
|----------------------------|-----------------------|---------|
| Oxford House               | Manitoba              | NCI-FM  |
| Paddle Prairie             | Alberta               | CFWE-FM |
| Paint Lake                 | Manitoba              | NCI-FM  |
| Patuanak                   | Saskatchewan          | MBC     |
| Paungassi                  | Manitoba              | NCI-FM  |
| Paul Band                  | Alberta               | CFWE-FM |
| Paulatuk                   | Northwest Territories | CKLB-FM |
| Peavine Settlement         | Alberta               | CFWE-FM |
| Peerless Lake              | Alberta               | CFWE-FM |
| Peguls                     | Manitoba              | NCI-FM  |
| Pelican Narrows            | Saskatchewan          | MBC     |
| Pelican Rapids/Sapotaweyak | Manitoba              | NCI-FM  |
| Pelly Crossing             | Yukon                 | CHON-FM |
| Pilot Mountain             | Yukon                 | CHON-FM |
| Piltwitunel                | Manitoba              | NCI-FM  |
| Pine Creek                 | Manitoba              | NCI-FM  |
| Pine Falls                 | Manitoba              | NCI-FM  |
| Pinehouse                  | Saskatchewan          | MBC     |
| Poplar River               | Manitoba              | NCI-FM  |
| Porcupine Hills            | Alberta               | CFWE-FM |
| Port Simpson               | British Columbia      | CFNR    |
| Postville                  | Labrador              | CKOK    |
| Prince Albert              | Saskatchewan          | MBC     |
| Prince Rupert              | British Columbia      | CFNR    |
| Pukatawagan                | Manitoba              | NCI-FM  |
| Puvirnitug                 | Québec                | TNI     |
| Quaqtaq                    | Québec                | TNI     |
| Quesnel                    | British Columbia      | CFNR    |
| Rae                        | Northwest Territories | CKLB-FM |
| Rae Lakes                  | Northwest Territories | CKLB-FM |
| Red Bluff                  | British Columbia      | CFNR    |
| Red Sucker Lake            | Manitoba              | NCI-FM  |
| Redstone                   | British Columbia      | CFNR    |
| Rigolet                    | Labrador              | CKOK    |
| Ross River                 | Yukon                 | CHON-FM |
| Sachs Harbour              | Northwest Territories | CKLB-FM |
| Salluit                    | Québec                | TNI     |
| Sandy Bay                  | Saskatchewan          | MBC     |
| Sandy Lake                 | Alberta               | CFWE-FM |
| Saskatoon                  | Saskatchewan          | MBC     |
| Shamattawn                 | Manitoba              | NCI-FM  |
| Sherridon                  | Manitoba              | NCI-FM  |
| Shoal Lake Red Earth       | Saskatchewan          | MBC     |
| Sioux Valley               | Manitoba              | NCI-FM  |
| Skidegate                  | British Columbia      | CFNR    |

**Radio Station Transmitter Locations**

**Exhibit 4**

|                               |                       |                         |
|-------------------------------|-----------------------|-------------------------|
| Slave Lake                    | Alberta               | CFWE-FM                 |
| Snow Lake                     | Manitoba              | NCI-FM                  |
| Soda Creek                    | British Columbia      | CFNR                    |
| South Indian Lake             | Manitoba              | NCI-FM                  |
| South Tallcree                | Alberta               | CFWE-FM                 |
| Southend                      | Saskatchewan          | MBC                     |
| Split Lake                    | Manitoba              | NCI-FM                  |
| St. Theresa Point             | Manitoba              | NCI-FM                  |
| Stanley Mission               | Saskatchewan          | MBC                     |
| Stewart Crossing              | Yukon                 | CHON-FM                 |
| Stoney Rapids                 | Saskatchewan          | MBC                     |
| Stony Creek                   | British Columbia      | CFNR                    |
| St-Régis                      | Québec                | First Nations in Québec |
| Sturgeon Lake                 | Alberta               | CFWE-FM                 |
| Sturgeon Lake                 | Saskatchewan          | MBC                     |
| Sturgeon Landing              | Saskatchewan          | MBC                     |
| Sucker Creek                  | Alberta               | CFWE-FM                 |
| Sugar Cane                    | British Columbia      | CFNR                    |
| Sunchild/O'Chiese             | Alberta               | CFWE-FM                 |
| Swan Lake & surrounding areas | Manitoba              | NCI-FM                  |
| Swan River                    | Manitoba              | NCI-FM                  |
| Tache                         | British Columbia      | CFNR                    |
| Tadoule Lake                  | Manitoba              | NCI-FM                  |
| Tagish                        | Yukon                 | CHON-FM                 |
| Takla Landing                 | British Columbia      | CFNR                    |
| Tasiujaq                      | Québec                | TNI                     |
| Telegraph Creek               | British Columbia      | CFNR                    |
| Terrace                       | British Columbia      | CFNR                    |
| Teslin                        | Yukon                 | CHON-FM                 |
| The Pas/Opaskwayalt           | Manitoba              | NCI-FM                  |
| Thicket Portage               | Manitoba              | NCI-FM                  |
| Thompson                      | Manitoba              | NCI-FM                  |
| Thunderchild                  | Saskatchewan          | MBC                     |
| Toosey                        | British Columbia      | CFNR                    |
| Topley                        | British Columbia      | CFNR                    |
| Trout Lake                    | Alberta               | CFWE-FM                 |
| Trout Lake                    | Northwest Territories | CKLB-FM                 |
| Tsay Kay Dene                 | British Columbia      | CFNR                    |
| Tsiigehtchic                  | NT                    | CHON-FM                 |
| Tulita                        | Northwest Territories | CKLB-FM                 |
| Turner Lake                   | Saskatchewan          | MBC                     |
| Ulkatcho                      | British Columbia      | CFNR                    |
| Umiujaq                       | Québec                | TNI                     |
| Upper Liard                   | Yukon                 | CHON-FM                 |
| Uranium City                  | Saskatchewan          | MBC                     |

**Radio Station Transmitter Locations****Exhibit 4**

|  |                       |         |
|--|-----------------------|---------|
| Wabasca/Desmarais                      | Alberta               | CFWE-FM |
| Wabowden                               | Manitoba              | NCI-FM  |
| Wasagamack                             | Manitoba              | NCI-FM  |
| Wasawanipi                             | Québec                | JBCCS   |
| Waskaganish                            | Québec                | JBCCS   |
| Waterhen                               | Manitoba              | NCI-FM  |
| Waterhen                               | Saskatchewan          | MBC     |
| Watson Lake                            | Yukon                 | CHON-FM |
| Wemindji                               | Québec                | JBCCS   |
| Weyakwin                               | Saskatchewan          | MBC     |
| Whapmagoostui                          | Québec                | JBCCS   |
| White Bear                             | Saskatchewan          | MBC     |
| Whitehorse                             | Yukon                 | CHON-FM |
| Williams Lake                          | British Columbia      | CFNR    |
| Winnipeg/Selldrick & surrounding areas | Manitoba              | NCI-FM  |
| Wollaston Lake                         | Saskatchewan          | MBC     |
| Wrigley                                | Northwest Territories | CKLB-FM |
| Yellowknife                            | Northwest Territories | CKLB-FM |
| York Landing                           | Manitoba              | NCI-FM  |



*In Re Residential Schools Class Action Litigation*  
**PHASE II - File Key Code**

**Code**

IND-COV2-ENG  
IND-DET2-ENG  
IND-ENV2-ENG  
IND-FAX2-ENG  
IND-FAX-ENG-EDITORS2  
IND-FAX-ENG-ORG2  
IND-FAX-ENG-RADIO2  
IND-LAW-COV2-ENG  
IND-LAWQP2-COV-ENG  
IND-ORG-COV2-ENG  
IND-PR2-ENG  
IND-QP-COV2-ENG  
IND-RAD2-ENG  
IND-SUM2-ENG  
IND-TV2-ENG  
INU-COV2-ENG  
INU-DET2-ENG  
INU-ENV2-ENG  
INU-FAX2-ENG  
INU-FAX-ENG-EDITORS2  
INU-FAX-ENG-ORG2  
INU-FAX-ENG-RADIO2  
INU-LAW-COV2-ENG  
INU-LAWQP-COV2-ENG  
INU-ORG-COV2-ENG  
INU-PR2-ENG  
INU-QP-COV2-ENG  
INU-RAD2-ENG  
INU-SUM2-ENG  
INU-TV2-ENG

**Definition**

English Cover Letter for Mailing to Individuals  
Detailed Notice in English  
Mailing Envelope in English  
Fax Cover Letter in English  
Fax Cover Letter in English to Editors  
Fax Cover Letter in English to Organizations  
Fax Cover Letter in English to radio & television stations and networks  
Fax Cover Letter to Lawyers in English  
Fax Cover Letter to Lawyers with lawsuits pending in Quebec in English  
English Cover Letter for Mailing to Organizations  
Informational Release in English  
English Cover Letter for Mailing to Individuals with lawsuits pending in Quebec  
English Radio Notice  
English Feather Summary Notice  
English Television Notice  
English Cover Letter for Mailing to Individuals in Inuit communities  
Detailed notice in English for Inuit communities  
Mailing Envelope for Inuit communities  
Fax Cover Letter in English for Inuit communities  
Fax Cover Letter in English to Editors for Inuit communities  
Fax Cover Letter in English to Organizations for Inuit communities  
Fax Cover Letter in English to radio & television stations and networks for Inuit communities  
Fax Cover Letter to English speaking Lawyers in Inuit communities  
Fax Cover Letter to English speaking Lawyers in Inuit communities with lawsuits pending in Quebec  
Cover Letter for Mailing to English speaking Organizations in Inuit communities  
Informational Release in English to Inuit communities  
English Cover Letter for Mailing to Individuals in Inuit communities with lawsuits pending in Quebec  
English Radio Notice for Inuit communities  
English Summary Notice for Inuit communities  
English Television Notice for Inuit communities

# Cover Letters for Mailing

**Official Court Notice**

Month 00, 2006

The Indian residential schools settlement has been approved.

Now, former students and their families can decide whether to exclude themselves from the settlement, or stay in the settlement and request a payment or receive the other benefits from it.

Read the enclosed notices about these options carefully. To learn more, call toll free 1-866-879-4913, or visit [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Thank you.

Sincerely,

Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

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Month 00, 2006

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Now, former students and their families can decide whether to exclude themselves from the settlement, or stay in the settlement and request a payment or receive the other benefits from it.

Read the enclosed notices carefully and provide a copy of the notice to anyone you represent who may be a class member. To learn more, call toll free 1-866-879-4913, or visit [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

Thank you.

Sincerely,

Notice Administrator  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

**Official Court Notice**

Month 00, 2006

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Waterloo, Ontario N2J 3G9

# Fax Cover Letters

**Official Court Notice**

**FAX**

**Attn: Chief/Mayor and Councillors**

**The Indian residential schools settlement has been approved.**

All of the courts have approved the residential schools settlement. Former students and their families can now decide whether to exclude themselves from the settlement, or stay in the settlement and request a payment or receive the other benefits from it.

We are asking for your help to distribute these important notices, as you are able, because they affect the legal rights of former students of Indian residential schools and their families. Also, please post the notice in a prominent place where the community will be able to view it and feel free to print it in any newsletter you may publish.

Learn more by calling toll free 1-866-879-4913 (which is also linked to crisis line services), or by visiting [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca). Your office will receive a package by mail with a more detailed notice document, which people may also refer to.

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**Official Court Notice**

**FAX**

**Attn: Editor**

**PRESS RELEASE:** Courts to issue further notice to former students of Canada's Indian residential schools: The settlement has been approved and former students have a choice to make.

The Indian residential schools settlement process continues. Former students and their families can now decide whether to exclude themselves from the settlement, or stay in the settlement and request a payment or receive the other benefits from it.

We are asking for your help to inform former students of Indian residential schools and their families that their legal rights are affected by the settlement. Please help us, as you are able, by publishing a story in an upcoming edition of your publication.

The attached Court-ordered press release contains information about the settlement and its benefits, and about the legal rights that former students and their families now have.

Learn more by calling toll free 1-866-879-4913 (which is also linked to crisis line services), or by visiting [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

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**Official Court Notice**

**FAX**

**Attn: <Insert Organization>**

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**FAX**

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Suite 3-505  
133 Weber St. North  
Waterloo, Ontario N2J 3G9

**Official Court Notice**

**FAX: <Insert Fax Number>**

**Attn: Network Manager**

**PRESS RELEASE:** Courts to issue further notice to former students of Canada's Indian residential schools: The settlement has been approved and former students have a choice to make.

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We are asking for your help to inform former students of Indian residential schools and their families that their legal rights are affected by the settlement. Please help us, as you are able, by broadcasting a public service announcement or informing the public through a talk show, on the radio stations you oversee.

The attached Court-ordered press release contains information about the settlement and its benefits, and about the legal rights that former students and their families now have.

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Notice Administrator  
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# Detailed Notices

# The residential schools settlement has been approved. The healing continues.

*This is a court authorized notice. This is not a solicitation from a lawyer.*

The Indian residential schools settlement has been approved by the Courts. Now, former students and their families can decide whether to exclude themselves (also called “opting out”) from the settlement, or stay in the settlement and request a payment or receive the other benefits from it. This notice explains what it means to exclude yourself, and also reminds you what the settlement provides, to help you decide what to do. The settlement provides:

- o At least \$1.9 billion dollars available for “common experience” payments for former students who lived at the schools;
- o A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each, or more money for those who also show a loss of income;
- o \$125 million to the Aboriginal Healing Foundation for healing programmes, \$60 million for truth and reconciliation to document and preserve the experiences of survivors, and \$20 million for national and community commemorative projects;
- o Up to about \$100 million for the lawyers who represent former students across Canada; and
- o Other things detailed in a full settlement agreement available by calling or going to the website below.

| <b>YOUR LEGAL RIGHTS AND OPTIONS:</b> |  |
|---------------------------------------|--|
| <b>ASK FOR A PAYMENT</b>              | Ask for a payment if you are satisfied with what the settlement offers or you don't feel that you ever want to sue the Government or the Churches on your own.                 |
| <b>EXCLUDE YOURSELF</b>               | Exclude yourself if you don't want a payment, or you think you can get more money than the settlement provides by suing the Government of Canada or the Churches, on your own. |
| <b>Do NOTHING</b>                     | Get no payment. Give up rights.  |

These rights and options—and the important dates—are explained in this notice.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

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QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)



## **BASIC INFORMATION**

### **1. Why was this notice issued?**

Courts authorized this notice because you have a right to know about a settlement of class action lawsuits and about your options. This notice explains the lawsuits, the settlement, and your legal rights.

Multiple Courts in Canada, including the Québec Superior Court, the Superior Court of Justice for Ontario, the Manitoba Court of Queen's Bench, the Saskatchewan Court of Queen's Bench, the Alberta Court of Queen's Bench, the Supreme Court of British Columbia, the Supreme Court of the Yukon Territory, The Nunavut Court of Justice, and the Supreme Court of the Northwest Territories, ("Courts") are overseeing all of the various lawsuits and class action lawsuits. The cases together are known as *In re Residential Schools Class Action Litigation*.

The former residential school students and their families are called the "Plaintiffs," and the entities they sued are called the "Defendants." The Defendants include the Government of Canada ("Government") and various church and church-related entities including The General Synod of the Anglican Church of Canada, The Dioceses of the Anglican Church of Canada, The Presbyterian Church in Canada, The United Church of Canada, The Methodist Church of Canada, and various Catholic entities (together called the "Churches").

### **2. What is the lawsuit about?**

Residential schools were boarding schools for Aboriginal children that operated throughout Canada for over a century. Canada and religious organizations operated the schools. Harms and abuses were committed against the children. Various lawsuits were started against the Government, the Churches, and others, based on the operation and management of residential schools in Canada.

### **3. Why is this a class action?**

In a class action one or more people called "class representatives" sue on behalf of people who have similar claims. All of these people are a "Class." The courts resolve the issues for everyone affected, except for those who exclude themselves from the Class.

### **4. Why is there a settlement?**

Both sides agreed to a settlement to avoid the delays, costs, and risks of trials. The class representatives and the lawyers representing them think the settlement is best for former students.

### **5. What is the status of the settlement?**

Notices were issued in June, July, and August of 2006 and hearings were held across Canada. The Courts considered any objections to the settlement and then approved it. Now everyone in the Class can decide whether to exclude themselves from the settlement, or stay in the settlement and request a payment or receive other benefits from it. Claim forms will be mailed as soon as they become available.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## WHO IS COVERED BY THE SETTLEMENT?

It has been estimated that approximately 80,000 living Aboriginal people are former students of the residential school system. To see if you are eligible for a payment, you first have to determine whether you are included.

### 6. How do I know if I am part of the settlement?

The settlement includes former students and family members of recognized residential schools in Canada. This includes Aboriginal people from First Nations, Inuit, Inuvialuit, Métis, or former students from any other community. Those who lived at the schools, those who attended during the day, and family members of former students are all affected by the settlement, but may be eligible for different benefits, so read carefully because your legal rights may be affected.

### 7. Which schools are included?

The list of recognized residential schools and hostels is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913. If you attended a residential school that is not on the list, you may request that an institution be added to the list of recognized schools. Submit the name of the school you think should be added and any relevant information about it at the website or by writing to: Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9. The Government will research the proposed institution and determine whether it should be added to the list of recognized residential schools. If a school you suggest is not added, you may appeal that decision.

### 8. What if I have my own lawsuit against the Government and/or Churches?

Except for people with current residential school lawsuits in Québec, you are included even if you have a separate lawsuit. If you have a current lawsuit for residential school abuse in the Province of Québec, it will have to be discontinued in order to get any payment or benefit from this settlement. Read this notice carefully and talk to your lawyer as soon as possible to see how it will affect your rights to continue with that lawsuit.

### 9. I'm still not sure if I'm included in the settlement.

If you are not sure whether you are included, you may call 1-866-879-4913 with questions.

## THE SETTLEMENT BENEFITS—WHAT YOU GET

### 10. What does the settlement provide?

The settlement provides:

- **Common Experience Payment (“CEP”) Fund** – At least \$1.9 billion, plus interest, will be made available for lump sum payments to former students who lived at one of the residential schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that. If there is not enough money in the fund to pay all valid claims, the Government will add money to the fund. However, if there is any money remaining in the CEP fund after all valid claims are paid: (1) if the amount is less than \$40,000,000, all of the

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remaining money will be given to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit, and Métis people; (2) if the amount is greater than \$40,000,000, former students who submit valid claim forms will get an equal share of "Personal Credits," not cash, up to a maximum of \$3,000. These credits can be used for personal, family, or group education services. Any balance remaining in the CEP fund after paying the Personal Credits will be paid to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit and Métis people.

- **Independent Assessment Process ("IAP")** – A new independent assessment process (replacing the alternative dispute resolution process which ended when the settlement was approved) allows those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to qualify for between \$5,000 and \$275,000 each. More, up to a maximum of \$430,000 total, may be awarded if you also show a loss of income. There is a point system based on different abuses and resulting harms. The more points the greater the payment. There is a review process if you don't agree with the amount granted to you. An amount for future care and a contribution of 15% of the total award to help with legal costs is also available.
- **Healing Fund** – \$125 million will be given to the Aboriginal Healing Foundation for a five year period to fund healing programmes for former students and their families. This is in addition to the \$390 million that the Government has previously funded to establish the Aboriginal Healing Foundation for the benefit of both living former students and the families of deceased students.
- **Truth and Reconciliation Fund** – \$60 million to research, document, and preserve the experiences of the survivors and their families for future generations.
- **Commemoration Fund** – \$20 million for national and community commemorative projects.

More details are in a document called the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913.

### **11. Who can get a common experience payment (CEP)?**

Any former student who was alive on May 30, 2005, and who lived at a residential school before December 31, 1997 is eligible for a lump sum payment from the CEP fund. You don't have to prove you were abused to get a CEP.

### **12. What about former students who have passed away and their families?**

Claims on behalf of former students who died recently will be allowed. Specifically, all former students who were alive on May 30, 2005 are eligible for a CEP. Also, any former student who attended the Mohawk Institute Residential Boarding School in Brantford, Ontario between 1922 and 1969 and was alive on October 5, 1996, is also eligible for a CEP. Family members of any residential school student, whenever they died, will be able to take advantage of the healing programmes funded by the settlement.

### **13. Can I get a payment if I previously brought an abuse claim?**

Yes, even if you already won, lost, or settled an abuse claim, either in court, by negotiation, or under the Government's alternative dispute resolution ("ADR") process you are still eligible for a CEP, and it's possible that you may qualify for additional money under the new IAP.

#### **14. What about my abuse claim in the current ADR process?**

Since the settlement was approved by all the Courts, all applications to the current ADR process will end. Anyone who applied to the ADR process before Month 00, 2006 now have a choice to continue in the ADR process or move to the IAP. More detailed information on the IAP is in Schedule D of the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913.

#### **15. Who is eligible for the independent assessment process (IAP)?**

If you suffered sexual or serious physical abuse, or other abuses that caused serious psychological effects, you may be eligible if: a) you are a former student who attended and lived at a residential school, or b) you were invited to take part in an authorized school activity (while under the age of 21) even if you did not live at a school.

#### **16. Can I get a CEP if I also have an IAP claim?**

Yes.

#### **17. Will my social assistance benefits be affected if I take the CEP?**

The Government is working with provincial and territorial governments, and all federal departments to try to ensure that any payment you receive will not affect the amount, nature, or duration of any social benefits or social assistance benefits received by former students.

#### **18. Will the CEP be taxable?**

No. The Government has determined that CEP payments will not be taxable.

#### **19. Will mental health and emotional support services continue?**

Yes, the Government will continue to provide existing mental health and emotional support services and agrees to make those services available to CEP recipients and those former students resolving abuse claims through the IAP, as well as those participating in truth and reconciliation, or commemorative projects.

#### **20. What am I giving up in exchange for the settlement benefits?**

Since the settlement has been approved, former students and family members will be releasing the Defendants and all related people and entities from all legal claims pertaining to their attendance at residential schools. All the "released" claims are described and identified in Article 11 of the Settlement Agreement available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913. The Settlement Agreement describes the released claims with specific descriptions, in necessarily accurate legal terminology, so read it carefully, and talk to a lawyer if you have questions about the released claims or what they mean. The lawyers involved in the settlement are listed at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

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## HOW TO GET A PAYMENT

### 21. How can I get a payment?

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### 22. When will I get a payment?

There will be a period of several months to allow people to exclude themselves from the settlement. Then people may apply for payments, and payments will be made after any appeals are resolved. Please be patient.

### 23. What about advance payments for the elderly?

Any eligible former residential school student, 65 years of age and older as of May 30, 2005 may apply until December 31, 2006 for an advance payment of \$8,000. The advance payment application form is available at the website.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from this settlement, but you want to keep the right to sue the Defendants who settled, on your own, about the legal issues in this case, then you must take steps to get out of the settlement. This is called excluding yourself, or is sometimes referred to as "opting out."

### 24. If I exclude myself, can I get money from this settlement?

No. If you exclude yourself, do not send in a claim form to request a payment. If you ask to be excluded, you will not get any settlement payment. But you may sue the Defendants who settled this case on your own in the future. You will not be bound by anything that happens in this lawsuit.

### 25. If I don't exclude myself, can I sue later?

No. Unless you exclude yourself, you give up the right to sue the Defendants who settled, for the legal claims that this settlement resolves. You must exclude yourself from *this* Class to start your own lawsuit. Remember, the exclusion deadline is **Month 00, 2007**.

### 26. How do I get out of the settlement?

To exclude yourself, you must send in an Exclusion Request form. You can use the Exclusion Request form on page 10 or you can get a form at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca). You must mail your Exclusion Request postmarked by **Month 00, 2007** to: Residential Schools Exclusion, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.

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## **THE LAWYERS**

### **27. Do I have a lawyer in the case?**

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You don't have to hire and pay a lawyer to submit a claim to get a common experience payment. However, if you do hire a lawyer, or if you have already hired a lawyer, you should ask him or her if they will assist you in getting a CEP without charging for that work.

### **29. How will the lawyers be paid?**

The Government will pay all of the lawyers listed at the website a total of up to approximately \$100 million in fees, plus costs and taxes, for their work to represent former students, including their work on the lawsuits and negotiations for the settlement. The fees, costs, and taxes that the Courts award will not reduce the money available for former students.

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## **OBJECTING TO THE SETTLEMENT**

### **31. Can I still object to the settlement?**

No. The Courts considered all of the objections that were made prior to the deadline for objections which was widely publicized before nine different hearings were held across Canada. After those hearings all of the Courts approved the settlement.

## **IF YOU DO NOTHING**

### **32. What happens if I do nothing at all?**

If you do nothing, you'll get no money from this settlement. And, unless you exclude yourself, you won't be able to sue the Defendants who settled this case, about the legal issues in this case, ever again.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## GETTING MORE INFORMATION

### 32. How do I get more information?

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## **REQUEST A CLAIM FORM**

Please fill out the information below if you would like to receive a claims package when it becomes available. You can also request one by calling 1-866-879-4913 or going to the website.

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City*

\_\_\_\_\_  
*State*

\_\_\_\_\_  
*Zip*

Mail to: Residential Schools Claims, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.

## **EXCLUSION REQUEST**

I want to be excluded from the *In re Residential Schools Class Action Litigation* class action. I understand that if I exclude myself, I will not be able to get any money from this case, however I will not be bound by any Court orders, and I will keep any rights I may have to sue the Defendants about the claims in this case, as part of any other lawsuit.

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*School(s) attended*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City*

\_\_\_\_\_  
*State*

\_\_\_\_\_  
*Zip*

\_\_\_\_\_  
*Telephone*

\_\_\_\_\_  
*Signed*

\_\_\_\_\_  
*Date*

If you want to be excluded, mail this form, postmarked by **Month 00, 2007**, to:  
Residential Schools Exclusions, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.

**DON'T MAIL THIS FORM IF YOU WANT TO STAY IN THE CLASS.**

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**



# The residential schools settlement has been approved. The healing continues.

*This is a court authorized notice. This is not a solicitation from a lawyer.*

The residential schools settlement has been approved by the Courts. Now, former students and their families can decide whether to exclude themselves (also called "opting out") from the settlement, or stay in the settlement and request a payment or receive the other benefits from it. This notice explains what it means to exclude yourself, and also reminds you what the settlement provides, to help you decide what to do. The settlement provides:

- At least \$1.9 billion dollars available for "common experience" payments for former students who lived at the schools;
- A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each, or more money for those who also show a loss of income;
- \$125 million to the Aboriginal Healing Foundation for healing programmes, \$60 million for truth and reconciliation to document and preserve the experiences of survivors, and \$20 million for national and community commemorative projects;
- Up to about \$100 million for the lawyers who represent former students across Canada; and
- Other things detailed in a full settlement agreement available by calling or going to the website below.

| <b>YOUR LEGAL RIGHTS AND OPTIONS:</b> |  |
|---------------------------------------|--|
| <b>ASK FOR A PAYMENT</b>              | Ask for a payment if you are satisfied with what the settlement offers or you don't feel that you ever want to sue the Government or the Churches on your own.                 |
| <b>EXCLUDE YOURSELF</b>               | Exclude yourself if you don't want a payment, or you think you can get more money than the settlement provides by suing the Government of Canada or the Churches, on your own. |
| <b>DO NOTHING</b>                     | Get no payment. Give up rights.  |

These rights and options—and the important dates—are explained in this notice.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

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## **BASIC INFORMATION**

### **1. Why was this notice issued?**

Courts authorized this notice because you have a right to know about a settlement of class action lawsuits and about your options. This notice explains the lawsuits, the settlement, and your legal rights.

Multiple Courts in Canada, including the Québec Superior Court, the Superior Court of Justice for Ontario, the Manitoba Court of Queen's Bench, the Saskatchewan Court of Queen's Bench, the Alberta Court of Queen's Bench, the Supreme Court of British Columbia, the Supreme Court of the Yukon Territory, The Nunavut Court of Justice, and the Supreme Court of the Northwest Territories, ("Courts") are overseeing all of the various lawsuits and class action lawsuits. The cases together are known as *In re Residential Schools Class Action Litigation*.

The former residential school students and their families are called the "Plaintiffs," and the entities they sued are called the "Defendants." The Defendants include the Government of Canada ("Government") and various church and church-related entities including The General Synod of the Anglican Church of Canada, The Dioceses of the Anglican Church of Canada, The Presbyterian Church in Canada, The United Church of Canada, The Methodist Church of Canada, and various Catholic entities (together called the "Churches").

### **2. What is the lawsuit about?**

Residential schools were boarding schools for Aboriginal children that operated throughout Canada for over a century. Canada and religious organizations operated the schools. Harms and abuses were committed against the children. Various lawsuits were started against the Government, the Churches, and others, based on the operation and management of residential schools in Canada.

### **3. Why is this a class action?**

In a class action one or more people called "class representatives" sue on behalf of people who have similar claims. All of these people are a "Class." The courts resolve the issues for everyone affected, except for those who exclude themselves from the Class.

### **4. Why is there a settlement?**

Both sides agreed to a settlement to avoid the delays, costs, and risks of trials. The class representatives and the lawyers representing them think the settlement is best for former students.

### **5. What is the status of the settlement?**

Notices were issued in June, July, and August of 2006 and hearings were held across Canada. The Courts considered any objections to the settlement and then approved it. Now everyone in the Class can decide whether to exclude themselves from the settlement, or stay in the settlement and request a payment or receive other benefits from it. Claim forms will be mailed as soon as they become available.

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

## WHO IS COVERED BY THE SETTLEMENT?

It has been estimated that approximately 80,000 living Aboriginal people are former students of the residential school system. To see if you are eligible for a payment, you first have to determine whether you are included.

### 6. How do I know if I am part of the settlement?

The settlement includes former students and family members of recognized residential schools in Canada. This includes Aboriginal people from First Nations, Inuit, Inuvialuit, Métis, or former students from any other community. Those who lived at the schools, those who attended during the day, and family members of former students are all affected by the settlement, but may be eligible for different benefits, so read carefully because your legal rights may be affected.

### 7. Which schools are included?

The list of recognized residential schools and hostels is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913. If you attended a residential school that is not on the list, you may request that an institution be added to the list of recognized schools. Submit the name of the school you think should be added and any relevant information about it at the website or by writing to: Residential Schools Settlement, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9. The Government will research the proposed institution and determine whether it should be added to the list of recognized residential schools. If a school you suggest is not added, you may appeal that decision.

### 8. What if I have my own lawsuit against the Government and/or Churches?

Except for people with current residential school lawsuits in Québec, you are included even if you have a separate lawsuit. If you have a current lawsuit for residential school abuse in the Province of Québec, it will have to be discontinued in order to get any payment or benefit from this settlement. Read this notice carefully and talk to your lawyer as soon as possible to see how it will affect your rights to continue with that lawsuit.

### 9. I'm still not sure if I'm included in the settlement.

If you are not sure whether you are included, you may call 1-866-879-4913 with questions.

## THE SETTLEMENT BENEFITS—WHAT YOU GET

### 10. What does the settlement provide?

The settlement provides:

- **Common Experience Payment ("CEP") Fund** – At least \$1.9 billion, plus interest, will be made available for lump sum payments to former students who lived at one of the residential schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that. If there is not enough money in the fund to pay all valid claims, the Government will add money to the fund. However, if there is any money remaining in the CEP fund after all valid claims are paid: (1) if the amount is less than \$40,000,000, all of the

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remaining money will be given to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit, and Métis people; (2) if the amount is greater than \$40,000,000, former students who submit valid claim forms will get an equal share of "Personal Credits," not cash, up to a maximum of \$3,000. These credits can be used for personal, family, or group education services. Any balance remaining in the CEP fund after paying the Personal Credits will be paid to the National Indian Brotherhood Trust Fund and to the Inuvialuit Education Foundation for educational programs for all First Nations, Inuit, Inuvialuit and Métis people.

- **Independent Assessment Process ("IAP")** – A new independent assessment process (replacing the alternative dispute resolution process which ended when the settlement was approved) allows those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to qualify for between \$5,000 and \$275,000 each. More, up to a maximum of \$430,000 total, may be awarded if you also show a loss of income. There is a point system based on different abuses and resulting harms. The more points the greater the payment. There is a review process if you don't agree with the amount granted to you. An amount for future care and a contribution of 15% of the total award to help with legal costs is also available.
- **Healing Fund** – \$125 million will be given to the Aboriginal Healing Foundation for a five year period to fund healing programmes for former students and their families. This is in addition to the \$390 million that the Government has previously funded to establish the Aboriginal Healing Foundation for the benefit of both living former students and the families of deceased students.
- **Truth and Reconciliation Fund** – \$60 million to research, document, and preserve the experiences of the survivors and their families for future generations.
- **Commemoration Fund** – \$20 million for national and community commemorative projects.

More details are in a document called the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling 1-866-879-4913.

### **11. Who can get a common experience payment (CEP)?**

Any former student who was alive on May 30, 2005, and who lived at a residential school before December 31, 1997 is eligible for a lump sum payment from the CEP fund. You don't have to prove you were abused to get a CEP.

### **12. What about former students who have passed away and their families?**

Claims on behalf of former students who died recently will be allowed. Specifically, all former students who were alive on May 30, 2005 are eligible for a CEP. Also, any former student who attended the Mohawk Institute Residential Boarding School in Brantford, Ontario between 1922 and 1969 and was alive on October 5, 1996, is also eligible for a CEP. Family members of any residential school student, whenever they died, will be able to take advantage of the healing programmes funded by the settlement.

### **13. Can I get a payment if I previously brought an abuse claim?**

Yes, even if you already won, lost, or settled an abuse claim, either in court, by negotiation, or under the Government's alternative dispute resolution ("ADR") process you are still eligible for a CEP, and it's possible that you may qualify for additional money under the new IAP.

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#### **14. What about my abuse claim in the current ADR process?**

Since the settlement was approved by all the Courts, all applications to the current ADR process will end. Anyone who applied to the ADR process before Month 00, 2006 now have a choice to continue in the ADR process or move to the IAP. More detailed information on the IAP is in Schedule D of the Settlement Agreement which is available at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) or by calling toll-free 1-866-879-4913.

#### **15. Who is eligible for the independent assessment process (IAP)?**

If you suffered sexual or serious physical abuse, or other abuses that caused serious psychological effects, you may be eligible if: a) you are a former student who attended and lived at a residential school, or b) you were invited to take part in an authorized school activity (while under the age of 21) even if you did not live at a school.

#### **16. Can I get a CEP if I also have an IAP claim?**

Yes.

#### **17. Will my social assistance benefits be affected if I take the CEP?**

The Government is working with provincial and territorial governments, and all federal departments to try to ensure that any payment you receive will not affect the amount, nature, or duration of any social benefits or social assistance benefits received by former students.

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There will be a period of several months to allow people to exclude themselves from the settlement. Then people may apply for payments, and payments will be made after any appeals are resolved. Please be patient.

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If you don't already have your own lawyer, the website lists the law firms that signed onto the settlement, and they represent former students and family members. If you want to, you can contact one of the lawyers on the list for advice, or you may hire a different lawyer.

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You don't have to hire and pay a lawyer to submit a claim to get a common experience payment. However, if you do hire a lawyer, or if you have already hired a lawyer, you should ask him or her if they will assist you in getting a CEP without charging for that work.

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You may hire a lawyer to represent you with a serious abuse claim. The IAP is necessarily complex and it is advisable to have a lawyer working on your behalf to help you get the payment you may be eligible for. The lawyers, who may include the same lawyers listed at the website, will charge you additional fees for any IAP payments they get for you. If you are represented by a lawyer, the IAP payments will be adjusted by the Government to provide an extra 15% towards any fee a lawyer may charge you, but you must pay anything beyond that.

## **OBJECTING TO THE SETTLEMENT**

### **31. Can I still object to the settlement?**

No. The Courts considered all of the objections that were made prior to the deadline for objections which was widely publicized before nine different hearings were held across Canada. After those hearings all of the Courts approved the settlement.

## **IF YOU DO NOTHING**

### **32. What happens if I do nothing at all?**

If you do nothing, you'll get no money from this settlement. And, unless you exclude yourself, you won't be able to sue the Defendants who settled this case, about the legal issues in this case, ever again.

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## **REQUEST A CLAIM FORM**

Please fill out the information below if you would like to receive a claims package when it becomes available. You can also request one by calling 1-866-879-4913 or going to the website.

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City*

\_\_\_\_\_  
*State*

\_\_\_\_\_  
*Zip*

Mail to: Residential Schools Claims, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.

## **EXCLUSION REQUEST**

I want to be excluded from the *In re Residential Schools Class Action Litigation* class action. I understand that if I exclude myself, I will not be able to get any money from this case, however I will not be bound by any Court orders, and I will keep any rights I may have to sue the Defendants about the claims in this case, as part of any other lawsuit.

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*School(s) attended*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City*

\_\_\_\_\_  
*State*

\_\_\_\_\_  
*Zip*

\_\_\_\_\_  
*Telephone*

\_\_\_\_\_  
*Signed*

\_\_\_\_\_  
*Date*

If you want to be excluded, mail this form, postmarked by **Month 00, 2007**, to:  
Residential Schools Exclusions, Suite 3-505, 133 Weber St. North, Waterloo, Ontario, N2J 3G9.

**DON'T MAIL THIS FORM IF YOU WANT TO STAY IN THE CLASS.**

**QUESTIONS? CALL TOLL-FREE 1-866-879-4913 OR VISIT [WWW.RESIDENTIALSCHOOLSETTLEMENT.CA](http://WWW.RESIDENTIALSCHOOLSETTLEMENT.CA)**

# Mailing Envelopes

Notice Administrator for Canadian Courts  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario, N2J 3G9

**Indian Residential Schools Settlement Notice - Update**

Notice Administrator for Canadian Courts  
Residential Schools Settlement  
Suite 3-505  
133 Weber St. North  
Waterloo, Ontario, N2J 3G9

**Residential Schools Settlement Notice - Update**

# Informational News Releases

For Immediate Release

**Courts to issue further notice to former students of Canada's Indian residential schools: the Settlement has been approved, and former students have a choice to make.**

TORONTO, ON, Month 00, 2006/—Another national notification programme began today, on behalf of Courts across Canada, to alert former students of the Indian residential school system and their families, that they can now decide whether to exclude themselves (also called “opting out”) from the settlement, or stay in the settlement and request a payment or receive the other benefits from it.

This is the second phase of a notification programme that began in June of this year. First, through initial notices widely published, mailed, and broadcast throughout Canada, former students and their families learned how to give their views about the fairness of the settlement. Then, nine Courts across Canada held public hearings. All of the Courts approved the settlement after those hearings. The settlement provides:

1) At least \$1.9 billion available for “common experience” payments to former students who lived at one of the schools. Payments will be \$10,000 for the first school year (or part of a school year) plus \$3,000 for each school year (or part of a school year) after that.

2) A process to allow those who suffered sexual or serious physical abuses, or other abuses that caused serious psychological effects, to get between \$5,000 and \$275,000 each. Students could get more money if they also show a loss of income.

3) Money for programmes for former students and their families for healing, truth, reconciliation, and commemoration of the residential schools and the abuses suffered: \$125 million to the Aboriginal Healing Foundation, \$60 million to research, document, and preserve the experiences of the survivors, and \$20 million for national and community commemorative projects.

Those who exclude themselves will not get a payment from the settlement. However they keep any rights they may have to sue any of the defendants or entities that are being released from further liability by the settlement. This includes the Government of Canada and the Churches who joined in the settlement. The deadline for exclusions is Month 00, 2007.

In the alternative, those who stay in the settlement may ask for a payment from it. However, they will never be able to sue for the claims being resolved, ever again. Any current residential school lawsuit will be ended for those who decide to stay in the settlement.

Those who wish to exclude themselves must, by Month 00, 2007, write to Residential Schools Exclusions, Suite 3-505, 133 Weber St. North, Waterloo, Ontario N2J 3G9. Be sure to state that you “wish to be excluded from the Residential Schools Settlement,” and include your name, the school(s) you attended, your address, telephone number and signature.

Those who want to stay in the settlement and ask for a payment, may write, call 1-866-879-4913 or go to the website. Claim packages will be mailed to them as soon as they are ready.

A toll free telephone call center at 1-866-879-4913 has been set up to handle inquiries, with a link to crisis line services. Also, a website displays the detailed notice, settlement agreement, list of recognized schools and hostels, and other information at [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca).

###

/URL: <http://www.residentialschoolsettlement.ca>

/SOURCES: The Alberta Court of Queen's Bench; the Supreme Court of British Columbia; the Manitoba Court of Queen's Bench; the Supreme Court of the Northwest Territories; the Ontario Superior Court of

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Justice; the Québec Superior Court; the Supreme Court of the Yukon Territory; The Nunavut Court of Justice; and the Court of Queen's Bench for Saskatchewan.



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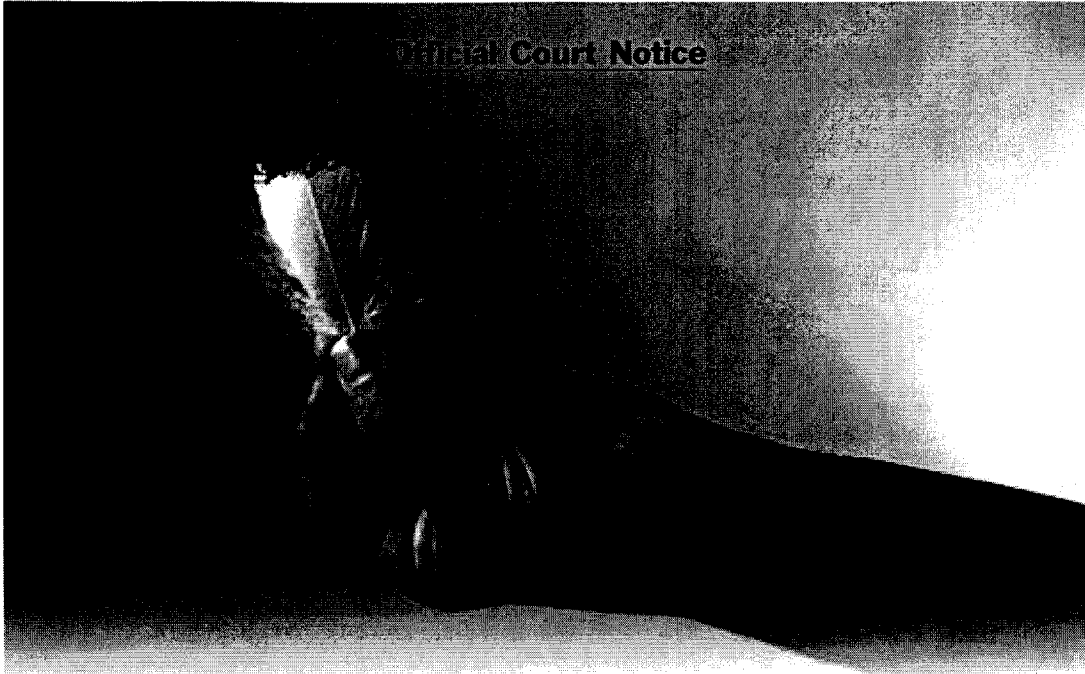
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# Summary Notices



## The residential schools settlement has been approved. The healing continues.

The Indian residential schools settlement has been approved by the Courts. Now, former students and their families can decide whether to exclude themselves (also called "opting out") from the settlement, or stay in the settlement and request a payment or receive the other benefits from it. This notice explains what it means to exclude yourself, and also reminds you what the settlement provides, to help you decide what to do.

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You don't have to show you were abused to get a common experience payment, and you can get one even if you had an abuse lawsuit, and even if you settled it.

If you exclude yourself you will not get a payment from the settlement. However you will keep any right you may have to sue any of the defendants, including the Government of Canada and the Churches who joined in the settlement, about the legal claims in this case.

If you stay in the settlement you may ask for a payment from it. However, you will never be able to sue on your own for the claims being resolved, ever again, and any lawsuit you currently have will be ended.

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You don't have to hire a lawyer to exclude yourself. If you stay in, you don't have to hire and

pay a lawyer to get a common experience payment once the claims process begins. Of course, you may hire your own lawyer and pay that lawyer to represent you with an abuse claim.

Call 1-866-879-4913 with questions about the settlement, or go to [www.residentialschoolsettlement.ca](http://www.residentialschoolsettlement.ca) to read a more detailed notice or the settlement agreement.

### Your Options Now

#### **Exclude Yourself**

Exclude yourself if you don't want a payment, or you think you can get more money than the settlement provides by suing the Government of Canada or the Churches, on your own.

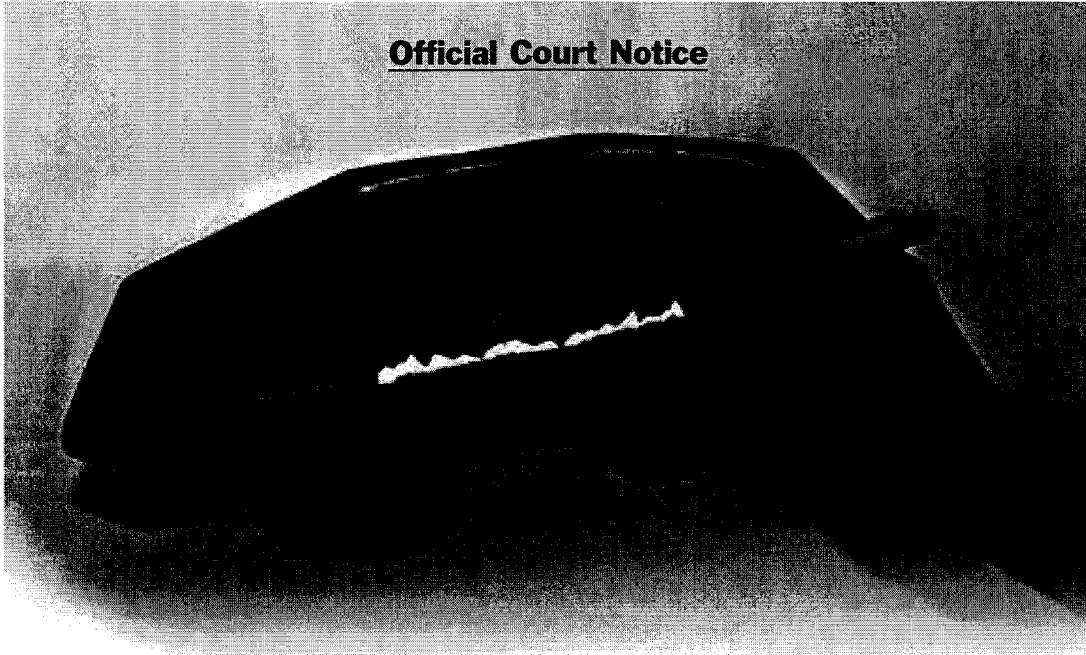
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Ask for a payment if you are satisfied with what the settlement offers or you don't feel that you ever want to sue the Government or the Churches on your own. Call and you'll get a claim package when they are ready.

**1-866-879-4913**

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## Official Court Notice



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# Radio Commercials

Hilsoft Notifications  
Residential Schools

Radio – Phase II – “Healing”

The Indian residential schools settlement has been approved. Now, former students and their families can decide whether to exclude themselves from the settlement, or stay in the settlement and request a payment from it. To learn more, call 1-866-879-4913. 1-866-879-4913. The residential schools settlement. The healing continues.

Hilsoft Notifications  
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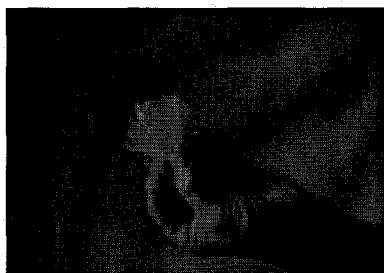
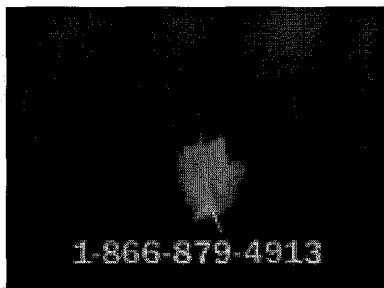
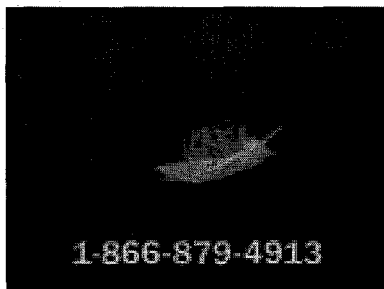
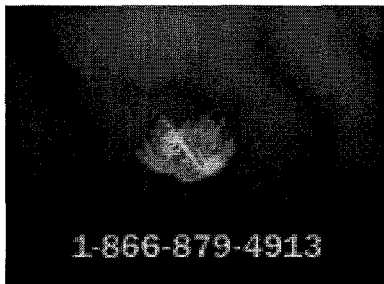
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# Television Commercials

Video

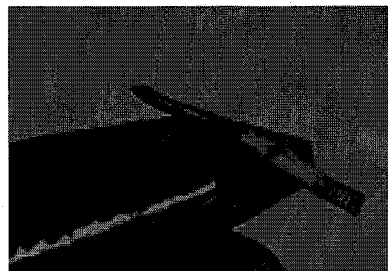
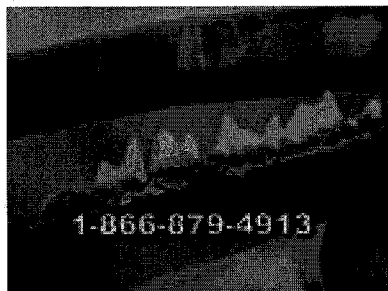
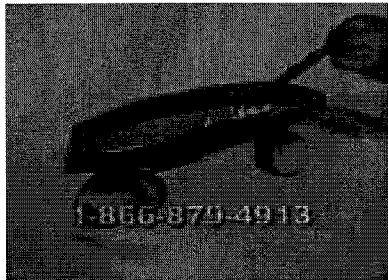
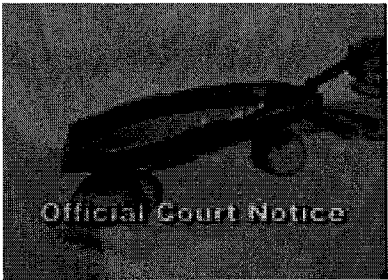


Audio

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Video

Audio



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BAXTER, et al. v. THE ATTORNEY GENERAL v. THE SYNOD OF ANGLICAN  
CHURCH, et al.

Court File No: 00-CV-192059CP

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**TODD HILSEE SUPPLEMENTARY  
AFFIDAVIT SWORN AUGUST 23, 2006  
(Settlement Approval Motion Returnable  
August 29, 30 and 31, 2006)**

**THOMSON, ROGERS**  
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M5H 1W2

**Craig Brown**  
Tel: (416) 868-3163  
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Tel: 416-595-2117  
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Counsel for the Plaintiffs