

JOINT MOTION RECORD VOLUME IX

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*

**JOINT MOTION RECORD
(Certification, Settlement Approval and Approval of Legal Fees)**

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other Religious Entity Defendants.

ABBREVIATED INDEX

TAB NO.

DOCUMENT DESCRIPTION

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VOLUME II***

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2. Residential Schools Settlement Agreement, dated May 10, 2006

VOLUME III

3. Notice of Motion for Settlement Approval, returnable August 29-31, 2006
 - A. Schedule “A” to the Notice of Motion [Amended Statement of Claim]
 - B. Schedule “B” to the Notice of Motion [Draft Order Amending the Title of Proceedings]
 - C. Schedule “C” to the Notice of Motion [Draft Order Approving the Settlement]
 - D. Schedule “D” to the Notice of Motion [Draft Order Approving Fees]
4. Affidavit of Jonathan Ptak
5. Affidavit of the Honourable Frank Iacobucci, Q.C.
6. Affidavit of Chief Larry Phillip Fontaine

VOLUME IV – National Background

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8. Affidavit of David Russell
9. Affidavit of Len Marchand

VOLUME V – Regional Histories

10. Affidavit of Richard Courtis
11. Affidavit of Donald Belcourt
12. Affidavit Nora Bernard

<u>TAB NO.</u>	<u>DOCUMENT DESCRIPTION</u>
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14.	Affidavit of Bonnie Reid
15.	Affidavit of Doug Keshen
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17.	Affidavit of Todd Hilsee (June 29, 2006)
18.	Affidavit of Todd Hilsee (July 26, 2006)
19.	Affidavit of Kerry Eaton
20.	Order of the Honourable Mr. Justice Warren K. Winkler, dated May 24, 2006
21.	Affidavit of James Bruce Boyles [Anglican Church]
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23.	Affidavit of Stephen Kendall (Presbyterian Entities)
24.	Affidavit of Sister Bernadette Poirer s.g.m. (Catholic)
25.	Affidavit of Father Jacques Gagné (Catholic)
26.	Affidavit of Archbishop Joseph Edmond Emilius Goulet (Catholic)
27.	Affidavit of Sister Gloria Keylor s.p. (Catholic)
28.	Affidavit of Father Jacques L'Heureux (Catholic)
29.	Affidavit of Father Camille Piche (Catholic)
30.	Affidavit of Father Bernard Pinet (Catholic)
31.	Affidavit of Father Cécil Fortier (Catholic)
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<u>TAB NO.</u>	<u>DOCUMENT DESCRIPTION</u>
34.	Affidavit of Sister Pauline Phaneuf (Catholic)
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37.	Affidavit of Sister Pearl Goudreau (Catholic)
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TAB NO.

DOCUMENT DESCRIPTION

VOLUME I - Agreement in Principle & Settlement Agreement

1. **Agreement in Principle, dated November 20, 2005**
 - A. Schedule “A” to the Agreement in Principle, dated November 20, 2005 [List of Catholic Entities]
 - B. Schedule “B” to the Agreement in Principle, dated November 20, 2005 [Independent Assessment Process (IAP) for Continuing Indian Residential Schools Abuse Claims]
 - C. Schedule “C” to the Agreement in Principle, dated November 20, 2005 [List of Residential Schools]
 - D. Schedule “D” to the Agreement in Principle, dated November 20, 2005 [List of Additional Residential Schools]
 - E. Schedule “E” to the Agreement in Principle, dated November 20, 2005 [Truth and Reconciliation Principles]
 - F. Schedule “F” to the Agreement in Principle, dated November 20, 2005 [Inuit and Inuvialuit Schools to be Researched]
 - G. Schedule “G” to the Agreement in Principle, dated November 20, 2005 [AIP Implementation]
 - H. Schedule “H” to the Agreement in Principle, dated November 20, 2005 [Letter to Former Students of Indian Residential Schools and their Legal Counsel from Mario Dion, Deputy Minister, Indian Residential Schools Resolution Canada, July 2005]
2. **Residential Schools Settlement Agreement, dated May 10, 2006**
 - A. Schedule “A” to Residential Schools Settlement Agreement, dated May 10, 2006 [Application for Common Experiences Payment for Former Students Who Resided at Indian Residential Schools]
 - B. Schedule “B” to Residential Schools Settlement Agreement, dated May 10, 2006 [List of Anglican Defendants]
 - C. Schedule “C” to Residential Schools Settlement Agreement, dated May 10, 2006 [List of Corporate Catholic Defendants]

<u>TAB NO.</u>	<u>DOCUMENT DESCRIPTION</u>
D.	Schedule "D" to Residential Schools Settlement Agreement, dated May 10, 2006 [Independent Assessment Process (IAP) for Continuing Indian Residential School Abuse Claims]
E.	Schedule "E" to Residential Schools Settlement Agreement, dated May 10, 2006 [List of Residential Schools]
F.	Schedule "F" to Residential Schools Settlement Agreement, dated May 10, 2006 [List of Additional Residential Schools]
G.	Schedule "G" to Residential Schools Settlement Agreement, dated May 10, 2006 [List of Anglican Defendants]
H.	Schedule "H" to Residential Schools Settlement Agreement, dated May 10, 2006 [List of Other Catholic Entities]
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J.	Schedule "J" to Residential Schools Settlement Agreement, dated May 10, 2006 [Commemoration Policy Directive]
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L.	Schedule "L" to Residential Schools Settlement Agreement, dated May 10, 2006 [Common Experience Payment Process Flowchart and Memorandum]
M.	Schedule "M" to Residential Schools Settlement Agreement, dated May 10, 2006 [Funding Agreement]
N.	Schedule "N" to Residential Schools Settlement Agreement, dated May 10, 2006 [Mandate for the Truth and Reconciliation Commission]
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1.	Schedule "O" to Residential Schools Settlement Agreement, dated May 10, 2006 [Schedule O-1 Second Amending Agreement]

TAB NO.

DOCUMENT DESCRIPTION

- A. Schedule A to Schedule O-1 Second Amending Agreement [The Presbyterian Fund for Healing and Reconciliation]
- B. Schedule B to Schedule O-1 Second Amending Agreement [Full and Final Release in Claims by Persons who Opt Out of the IRSSA]
- 2. Schedule "O" to Residential Schools Settlement Agreement, dated May 10, 2006 [Schedule O-2 Amending Agreement]
 - A. Schedule A to Schedule O-2 Second Amending Agreement [The Anglican Entities]
 - B. Schedule B to Schedule O-2 Second Amending Agreement [The Anglican Fund for Healing and Reconciliation ("AFHR")]
 - C. Schedule C to Schedule O-2 Second Amending Agreement [Full and Final Release in Claims by Persons Who Opt Out of the IRSSA]
 - D. Schedule D to Schedule O-2 Second Amending Agreement [Process for Providing Documents to the Truth and Reconciliation Commission]
 - E. Schedule E to Schedule O-2 Second Amending Agreement [Sections of IRSSA Incorporated by Reference]
 - F. Schedule F to Schedule O-2 Second Amending Agreement [Notice Information for Anglican Entities]
- 3. Schedule "O" to Residential Schools Settlement Agreement, dated May 10, 2006 [Schedule O-3 Settlement Agreement]
 - A. Schedule A to Schedule O-3 Settlement Agreement [List of the Catholic Entities]
 - B. Schedule B to Schedule O-3 Settlement Agreement [The Catholic Healing, reconciliation and Service Evaluation Committee]
 - C. Schedule C to Schedule O-3 Settlement Agreement [Conditions Under Which Payments are Made from the Corporation to the Aboriginal Healing Foundation]
 - D. Schedule D to Schedule O-3 Settlement Agreement [Full and Final Release in Claims by Persons who Opt Out of the IRSSA]
 - E. Schedule E to Schedule O-3 Settlement Agreement [Process for Providing Documents to the Truth and Reconciliation Commission]

<u>TAB NO.</u>	<u>DOCUMENT DESCRIPTION</u>
	F. Schedule F to Schedule O-3 Settlement Agreement [Sections of IRSSA Incorporated by Reference]
	G. Schedule G to Schedule O-3 Settlement Agreement [Names and Addresses of the Catholic Entities for Giving Notice]
4.	Schedule "O" to Residential Schools Settlement Agreement, dated May 10, 2006 [Schedule O-4 Settlement Agreement]
	A. Schedule A to Schedule O-4 Settlement Agreement [Indian Residential Schools Related to the United Church]
	B. Schedule B to Schedule O-4 Settlement Agreement [Healing and Reconciliation and In-Kind Services Criteria]
	C. Schedule C to Schedule O-4 Settlement Agreement [Full and Final Release in Claims by Persons Who Opt Out of the IRSSA]
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Q.	Schedule "Q" to Residential Schools Settlement Agreement, dated May 10, 2006 [Treasury Board of Canada Secretariat Travel Directive]
R.	Schedule "R" to Residential Schools Settlement Agreement, dated May 10, 2006 [July 2005 Open Letter to Former Students of Indian Residential Schools and their Legal Counsel from Mario Dion, Deputy Minister, Indian Residential Schools Resolution Canada]
S.	Schedule "S" to Residential Schools Settlement Agreement, dated May 10, 2006 [National Certification Committee Members]
T.	Schedule "T" to Residential Schools Settlement Agreement, dated May 10, 2006 [ADR Pilot Projects]
U.	Schedule "U" to Residential Schools Settlement Agreement, dated May 10, 2006 [IAP Working Group Members]
V.	Schedule "V" to Residential Schools Settlement Agreement, dated May 10, 2006 [Agreement Between the Government of Canada and the Merchant Law Group Respecting the Verification of Legal Fees]

VOLUME III

3. **Notice of Motion for Settlement Approval, returnable August 29-31, 2006**
 - E. Schedule “A” to the Notice of Motion [Amended Statement of Claim]
 - F. Schedule “B” to the Notice of Motion [Draft Order Amending the Title of Proceedings]
 - G. Schedule “C” to the Notice of Motion [Draft Order Approving the Settlement]
 - H. Schedule “D” to the Notice of Motion [Draft Order Approving Fees]
4. **Affidavit of Jonathan Ptak**
5. **Affidavit of the Honourable Frank Iacobucci, Q.C.**
 - A. Exhibit “A” to the Affidavit of the Honourable Frank Iacobucci, Q.C. [Political Agreement]
 - B. Exhibit “B” to the Affidavit of the Honourable Frank Iacobucci, Q.C. [Letter from the Honourable Frank Iacobucci to Interested Parties, dated June 1, 2005]
 - C. Exhibit “C” to the Affidavit of the Honourable Frank Iacobucci, Q.C. [Letter from the Honourable Frank Iacobucci to Interested Parties, dated July 4, 2005]
 - D. Exhibit “D” to the Affidavit of the Honourable Frank Iacobucci, Q.C. [Letter from the Honourable Frank Iacobucci to Interested Parties, dated July 15, 2005]
 - E. Exhibit “E” to the Affidavit of the Honourable Frank Iacobucci, Q.C. [Chart describing meetings and telephone conversations]
 - F. Exhibit “F” to the Affidavit of the Honourable Frank Iacobucci, Q.C. [Agreement in Principle]
6. **Affidavit of Chief Larry Phillip Fontaine**
 - A. Exhibit “A” to the Affidavit of Chief Larry Phillip Fontaine [Chapter 10, *Report of the Royal Commission on Aboriginal Peoples*]

- B. Exhibit “B” to the Affidavit of Chief Larry Phillip Fontaine [Statement of Reconciliation]
- C. Exhibit “C” to the Affidavit of Chief Larry Phillip Fontaine [*Guiding Principles for Working Together to Build Restoration and Reconciliation*]
- D. Exhibit “D” to the Affidavit of Chief Larry Phillip Fontaine [*The Assembly of First Nations Report on Canada’s Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools*]
- E. Exhibit “E” to the Affidavit of Chief Larry Phillip Fontaine [Political Agreement dated May 30, 2005]
- F. Exhibit “F” to the Affidavit of Chief Larry Phillip Fontaine [Assembly of First Nations’ Resolutions]
- G. Exhibit “G” to the Affidavit of Chief Larry Phillip Fontaine [Final Conference Report of the Assembly of First Nations’ Residential Schools July 2005 Conference]
- H. Exhibit “H” to the Affidavit of Chief Larry Phillip Fontaine [List of Residential Schools conferences of meetings attended by the Assembly of First Nations Indian Residential Schools Unit]

VOLUME IV – National Background

- 7. **Affidavit of Robert Robson**
 - A. Exhibit 1 to the Affidavit of Rob Robson [Affidavit of Rob Robson Previously Sworn on July 25, 2003]
- 8. **Affidavit of David Russell**
- 9. **Affidavit of Len Marchand**

VOLUME V – Regional Histories

- 10. **Affidavit of Richard Courtis**
 - A. Exhibit “A” to the Affidavit of Richard Courtis [Statement of Reconciliation issued January 7, 1998]
 - B. Exhibit “B” to the Affidavit of Richard Courtis [List of Members of the National Consortium]
 - C. Exhibit “C” to the Affidavit of Richard Courtis [Amended Fresh as Amended Statement of Claim]

- D. Exhibit "D" to the Affidavit of Richard Curtis [Order Amending Statement of Defence, dated February 16, 2005]
- E. Exhibit "E" to the Affidavit of Richard Curtis [Order Amending Third Party Claim, dated February 16, 2005]
- F. Exhibit "F" to the Affidavit of Richard Curtis [Minutes of Case Conferences]
- G. Exhibit "G" to the Affidavit of Richard Curtis [Minutes of December 14, 2004 Case Conference]
- H. Exhibit "H" to the Affidavit of Richard Curtis [Reasons of Justice Winkler dated May 30, 2005]
- I. Exhibit "I" to the Affidavit of Richard Curtis [Proposed Amended Statement of Claim]
- J. Exhibit "J" to the Affidavit of Richard Curtis [Proposed Application Form to be Completed by Eligible CEP Recipients]
- K. Exhibit "K" to the Affidavit of Richard Curtis [Letter from Ms. Coughlan to Mr. Faulds, dated May 23, 2006]
- L. Exhibit "L" to the Affidavit of Richard Curtis [Expert Opinion from Lalive, Attorneys-at-Law, dated November 2, 2005]
- M. Exhibit "M" to the Affidavit of Richard Curtis [December 2005 Report of Siggner & Associates]
- N. Exhibit "N" to the Affidavit of Richard Curtis [Plaintiff's Litigation Plan in *Baxter*]
- 11. **Affidavit of Donald Belcourt**
 - A. Exhibit "A" to the Affidavit of Donald Belcourt [Case Management Order of the Honourable Mr. Justice T.F. McMahon, dated January 8, 2000]
 - B. Exhibit "B" to the Affidavit of Donald Belcourt [Alberta Law Reform Institute Class Actions Final Report No. 85, December 2000]
 - C. Exhibit "C" to the Affidavit of Donald Belcourt [Proposal of the Plaintiffs for the Conduct of Residential School Litigation]
 - D. Exhibit "D" to the Affidavit of Donald Belcourt [Reasons for Decision of the Honourable Mr. Justice T.F. McMahon, dated April 26, 2000]

- E. Exhibit “E” to the Affidavit of Donald Belcourt [Reasons for Decision of the Honourable Mr. Justice T.F. McMahon, dated May 20, 2003]
- 12. **Affidavit Nora Bernard**
- 13. **Affidavit of Brian O’Reilly**
- 14. **Affidavit of Bonnie Reid**
- 15. **Affidavit of Doug Keshen**

VOLUME VI – Notice Program

- 16. **Affidavit of Todd Hilsee (May 17, 2006)**
Exhibit “A” to the Affidavit of Todd Hilsee (May 17, 2006) [Notice Plan]
- 17. **Affidavit of Todd Hilsee (June 29, 2006)**
- 18. **Affidavit of Todd Hilsee (July 26, 2006)**
- 19. **Affidavit of Kerry Eaton**
 - A. Attachment “A” to the Affidavit of Kerry Eaton [Weekly Report No. 01-06]
 - B. Attachment “B” to the Affidavit of Kerry Eaton [Weekly Report No. 02-06]
 - C. Attachment “C” to the Affidavit of Kerry Eaton [Weekly Report No. 03-06]
- 20. **Order of the Honourable Mr. Justice Warren K. Winkler, dated May 24, 2006**

VOLUME VII – The Church Defendants

- 21. **Affidavit of James Bruce Boyles [Anglican Church]**
 - A. Exhibit “A” to the Affidavit of James Bruce Boyles (Anglican Entities) [Indian Residential Schools Related to Anglican Entities]
 - B. Exhibit “B” to the Affidavit of James Bruce Boyles (Anglican Entities) [Settlement Agreement dated March 11, 2003]
- 22. **Affidavit of James Vincent Scott (United Church Entities)**

- A. Exhibit “A” to the Affidavit of James Vincent Scott (United Church Entities) [Indian Residential Schools Related to the United Church]
- 23. **Affidavit of Stephen Kendall (Presbyterian Entities)**
 - A. Exhibit “A” to the Affidavit of Stephen Kendall (Presbyterian Entities) [Indian Residential Schools Related to the Church]
 - B. Exhibit “B” to the Affidavit of Stephen Kendall (Presbyterian Entities) [Settlement Agreement dated February 13, 2003]
- 78. **Affidavit of Sister Bernadette Poirer s.g.m. (Catholic)**
- 79. **Affidavit of Father Jacques Gagné (Catholic)**
- 80. **Affidavit of Archbishop Joseph Edmond Emilius Goulet (Catholic)**
- 81. **Affidavit of Sister Gloria Keylor s.p. (Catholic)**
- 82. **Affidavit of Father Jacques L’Heureux (Catholic)**
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- 84. **Affidavit of Father Bernard Pinet (Catholic)**
- 85. **Affidavit of Father Cécil Fortier (Catholic)**
- 86. **Affidavit of Bishop Gary Gordon (Catholic)**
- 87. **Affidavit of Sister Dorothy Jean Beyer (Catholic)**
- 88. **Affidavit of Sister Pauline Phaneuf (Catholic)**
- 89. **Affidavit of Sister Suzanne Tremblay (Catholic)**
- 90. **Affidavit of Sister Robéa Duguay (Catholic)**
- 91. **Affidavit of Sister Pearl Goudreau (Catholic)**
- 92. **Affidavit of Sister Denise Brochu (Catholic)**
- 93. **Affidavit of Sister Suzanne Bridet (Catholic)**
- 94. **Affidavit of Sister Diane Beaudoin (Catholic)**
- 95. **Affidavit of Sister Gloria Paradis (Catholic)**

VOLUME VIII – Legal Fees

- 96. **Affidavit of Darcy Merkur**
 - A. Exhibit “A” to the Affidavit of Darcy Merkur [Class Action Retainer Agreement]
 - B. Exhibit “B” to the Affidavit of Darcy Merkur [Verification Agreement]

97. **Affidavit of Sandra Staats**

98. **Affidavit of Laura Cabott**

VOLUME IX – Individual Representative Plaintiffs

99. **Affidavit of Percy Archie**

100. **Affidavit of Charles Baxter**

101. **Affidavit of Elijah Baxter**

102. **Affidavit of Evelyn Baxter**

103. **Affidavit of Janet Brewster**

104. **Affidavit of John Bosum**

105. **Affidavit of Brenda Cyr**

106. **Affidavit of Malcolm Dawson**

107. **Affidavit of Vincent Bradley Fontaine**

108. **Affidavit of Elizabeth Kusiak**

109. **Affidavit of Theresa Ann Larocque**

110. **Affidavit of Veronica Marten**

111. **Statutory Declaration of Michelline Ammaq**

112. **Statutory Declaration of Rhonda Buffalo**

113. **Statutory Declaration of Ernestine Caibaisosai-Gidmark**

114. **Statutory Declaration of Michael Carpan**

115. **Statutory Declaration of Ann Dene**
116. **Statutory Declaration of James Fontaine**
117. **Statutory Declaration of Peggy Good**
118. **Statutory Declaration of Fred Kelly**
119. **Statutory Declaration of Jane McCallum**
120. **Statutory Declaration of Cornelius McComber**
121. **Statutory Declaration of Stanley Nepetaypo**
122. **Statutory Declaration of Flora Northwest**
123. **Statutory Declaration of Norman Pauchay**
124. **Statutory Declaration of Camble Quatell**
125. **Statutory Declaration of Alvin Saulteaux**
126. **Statutory Declaration of Christine Semple**
127. **Statutory Declaration of Dennis Smokeyday**
128. **Statutory Declaration of Kenneth Sparvier**
129. **Statutory Declaration of Edward Tapiatic**
130. **Statutory Declaration of Helen Wildeman**
131. **Statutory Declaration of Adrian Yellowknee**

Affidavit of Percy Archie
Sworn July 7, 2006

NO. L051875
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

CAMBLE QUATELL, PEGGY GOOD, ADRIAN YELLOWKNEE, KENNETH SPARVIER, DENNIS SMOKEYDAY, RHONDA BUFFALO, MARIE GAGNON, SIMON SCIPIO, as representatives and claimants on behalf of themselves and all other individuals who attended Residential Schools in Canada, including but not limited to all Residential Schools' clients of the proposed Class Counsel, Merchant Law Group, as listed in part in Schedule 1 to this Claim, and the John and Jane Does named herein, and such further John and Jane Does and other individuals belonging to the proposed class, including JOHN DOE I, JANE DOE I, JOHN DOE II, JANE DOE II, JOHN DOE III, JANE DOE III, JOHN DOE IV, JANE DOE IV, JOHN DOE V, JANE DOE V, JOHN DOE VI, JANE DOE VI, JOHN DOE VII, JANE DOE VII, JOHN DOE VIII, JANE DOE VIII, JOHN DOE IX, JANE DOE IX, JOHN DOE X, JANE DOE X, JOHN DOE XI, JANE DOE XI, JOHN DOE XII, JANE DOE XII, JOHN DOE XIII, JANE DOE XIII, being a Jane and John Doe for each Canadian province and territory, and other John and Jane Does, Individuals, Estates, Next-of-Kin and Entities to be added

PLAINTIFFS

AND:

ATTORNEY GENERAL OF CANADA

DEFENDANT

Proceeding under the *Class Proceedings Act*, R.S.B.C 1996, c. 50

AFFIDAVIT OF PERCY ARCHIE

I, Percy Moffat Archie, of the City of Kamloops, in the Province of British Columbia,
MAKE OATH AND STATE THAT:

PERSONAL BACKGROUND

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the proposed Amended Statement of Claim (the "Claim").
2. I was born on May 22, 1950. I am a member of the Canim Lake Band, in the province of British Columbia. I reside in the province of British Columbia.
3. I attended at the St. Joseph's Indian Residential School ("Residential School") in Williams Lake, from September 1963 to June 1965.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

OVERVIEW OF MY POSITION

5. As will be detailed below, I am one of the people who suffered directly from Canada's residential schools policy, as a person who actually attended Residential School. I know first hand the damage this has done to me personally, and to the aboriginal community more generally. While the residential schools legacy has been recognized as a social problem, a political problem and an aboriginal problem (among others), it is my personal problem and my lived experience. I therefore think that it is important for me and other survivors to speak up and be heard: after a lifetime of shame, guilt, anger and fear, it is time to focus on reconciliation and rebuilding our communities. This settlement allows our community to move on, and I wholeheartedly endorse it.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

6. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my aboriginal language, being repeatedly sexually and physically abused, being slapped, strapped and poked, being insulted and taunted by persons in authority as a result of my aboriginal origin, and being given inadequate food, health care, and education.

7. While attending St. Joseph's Indian Residential School, I was physically and sexually assaulted by Doughty and physically abused by Sprite. The sexual assaults were sexual assaults by Doughty included but were not limited to the following:
 - a. Forcing me to submit to being masturbated by Doughty; and
 - b. Forcing me to masturbate Doughty.

8. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

My Obligations as Representative Plaintiff:

11. I am prepared to act as representative plaintiff of the Survivor Class in this proceeding. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.

12. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Survivor Class is entitled to compensation.

13. I understand that the major steps in a class action typically include: the issuance of the statement of claim (and amendments to it if required), and the provision of a defence; a motion for certification (including the exchange of supporting affidavits and cross examinations as necessary); and, assuming the action is certified as a class proceeding, discoveries, a trial as required, and potentially appeals.

14. In this case, the parties have reached a settlement which they ask the court to approve. I am now asking the Court to certify the action as a class proceeding by this motion for certification, and approve the settlement. I understand that if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who

will be given the opportunity to opt out of the class action if they wish, within a fixed period. The Class Members will also be given full particulars of the settlement, if approved.

15. Class Members will have the right to object to the proposed settlement, and if approved, opt out. Those Class Members who do not opt out will receive the benefits of the settlement agreement.
16. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments, to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval, to attend, if necessary, with Class Counsel for cross examination on my affidavit, to attend, if necessary, with Class Counsel at the settlement approval hearing and give evidence regarding the case, to receive briefings from and to instruct Class Counsel, to seek the court's approval of agreements respecting Class Counsel's fees and disbursements and to communicate with Class Members as required.

I have Taken Steps to Carry out my Obligations as Representative Plaintiff:

17. To date, I have taken steps to fairly and adequately represent the Survivor Class Members, including instructing counsel to amend and continue a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of these class actions, including the risks and costs of same, assisting in amending the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.
18. I have reviewed the Claim. I agree with the proposed definitions of the Classes and believe that they will allow individuals to determine whether they qualify as Class Members.

19. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of the common issues would significantly advance this litigation.
20. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many aboriginal persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their experiences at residential schools, and suffer from poverty and often from substance abuse. I believe that thousands of survivors and their families would not be able to advance their legal rights without this class action.
21. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interests of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

THE PROPOSED SETTLEMENT

22. The proposed settlement was reached through a long process of negotiation. The Honourable Frank Iacobucci, Q.C. was appointed in May 2005 as the Federal Representative responsible for convening and superintending multi-party settlement negotiations. Those negotiations were held in various cities across Canada over the summer and fall of 2005, with various stakeholders attending, including legal counsel as well as aboriginal representatives from the Assembly of First Nations, among others.
23. An agreement in principle was reached with that group on November 20, 2005, and a final settlement agreement was reached on May 10, 2006. That settlement agreement was subsequently approved by the Federal Cabinet, and now is put forward for approval by the various courts.

- 24. I have reviewed the settlement agreement approved by the Federal Cabinet, and I have discussed it with Class Counsel. I believe that this settlement package is beneficial to the Survivor Class Members. It includes fair compensation for the Survivor Class. This includes monetary compensation based on length of attendance at residential school, through the common experience payment. It also provides an accessible method by which survivors can seek additional compensation for serious physical and/or sexual abuse. I have reviewed these aspects of the settlement and I believe that they fairly and adequately meet the needs of members of the survivor class.
- 25. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards healing programs through the Aboriginal Healing Foundation.
- 26. I am satisfied with the settlement, and believe that it meets the needs of the Survivor Class members. I also believe that it is important for the settlement to be approved. Absent a settlement, I fear that litigation could be protracted, and more and more members of my community would die without seeing a resolution to this legacy. The claims process promises an efficient delivery of compensation, which is important to me and my community.
- 27. I swear this affidavit in good faith and for no improper purpose.

SWORN BEFORE ME at the City of Kamloops,)
 in the Province of British Columbia, this 7th day of)
 July, 2006.)
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Alton Mackay

 A Commissioner for taking Affidavits in the
 Province of British Columbia

Percy Moffat Archie

 Percy Moffat Archie

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

**CHARLES BAXTER SR., ELIJAH BAXTER,
LARRY PHILIP FONTAINE in his personal capacity and in his capacity as the Executor
of the estate of Agnes Mary Fontaine, deceased, JAMES FONTAINE in his personal
capacity and in his capacity as the Executor of the Estate of Agnes Mary Fontaine,
deceased, FRED KELLY, VINCENT BRADLEY FONTAINE, NATIONAL INDIAN
BROTHERHOOD also known as ASSEMBLY OF FIRST NATIONS, NORMAN
PAUCHEY, ALVIN BARNEY SAULTEAUX, EARL KENNETH COTE, KEITH
DIETER, ALVIN GERALD STRAIGHTNOSE, KENNETH SPARVIER, DENNIS
SMOKEYDAY, RHONDA BUFFALO, CLIFFORD HOUSE, JIM CHEWANISH, SIMON
SCIPIO, MARIE GAGNON, CORNELIUS McCOMBER, EDWARD TAPIATIC,
ELIZABETH SCIPIO-KOOKASH, HELEN WINDERMAN, ANN DENE, ERNESTINE
CAIBAIOSAI-GIDMARK, JOHN BOSUM, FLORA NORTHWEST, ADRIAN
YELLOWKNEE, MICHAEL CARPAN, MICHAEL PETER ABRAHAM, JOBIE
ABRAHAM, CHARLOTTE ABRAHAM, MINNIE ABRAHAM, JOSCELYN
ABRAHAM, CHRISTINE SEMPLE, JAME McCALLUM, STANLEY THOMAS
NEPETAYPO, PEGGY GOOD, CAMBLE QUATELL, MICHELLINE AMMAQ,
BLANDINA TULUGARJUK, ROSEMARIE KUPTANA, DONALD BELCOURT,
THERESA LAROCQUE and ELIZABETH KUSIAK**

Plaintiffs

- and -

**THE ATTORNEY GENERAL OF CANADA, 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 ATHBASCA, THE SYNOD OF THE DIOCESE OF
BRANDON, THE SYNOD OF THE DIOCESE OF BRITISH COLOMBIA, THE SYNOD
OF THE DIOCESE OF CALGARY, THE DIOCESE OF THE SYNOD 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 IN CANADA, THE BOARD OF THE 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 PROVINCE, LES 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 OBLATS 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 DU 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) ON 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 SAINT-HYACINTHE, LES SOEURS DE L'ASSOMPTION DE LA SAINT 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 DE 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 HEARTS 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 ORDERS OF JESUS
AND MARY and LES SOEURS DE JESUS-MARIE), THE SISTERS OF THE 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 and THE BAPTIST
CHURCH IN CANADA**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**AFFIDAVIT OF CHARLES BAXTER, SR.
(sworn June 17, 2006)
(Settlement Approval)**

I, **CHARLES BAXTER, SR.**, of the Constance Lake First Nation, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am one of the representative plaintiffs in this proceeding. I bring this action on my own behalf and on behalf of all Survivor Class Members (the "Survivor Class" or "Survivor Class Members"), as described and defined in the Master Statement of Claim (the "Master Claim").
2. I am an Ojibway and a Status Indian.
3. I was born on November 24, 1950 at Washi Lake, approximately 65 miles east of Fort Hope, in the Province of Ontario.
4. After my father started working his own trap line my family moved to Makokibatan (Makok) Lake which is 12 miles west of Washi Lake on the north shore of the Albany River. I lived there with my parents and a number of my brothers and sisters until I was approximately 7 years old.

5. I am presently a member of the Band Council of the Constance Lake First Nation. In addition, I am a liaison worker in respect of issues between the Province of Ontario and the Constance Lake First Nation.

6. I am also involved with the Constance Lake First Nation project team for residential schools issues.

7. In June 2000, I retained Thomson Rogers LLP and Richard Courtis ("Class Counsel") to commence a class action against the Attorney General of Canada ("Canada") and others in order to address the losses suffered by class members in Canada as a result of their attendance at residential schools.

8. Throughout this litigation I have been actively involved as a representative plaintiff. Class Counsel have made efforts to keep me apprised of the progress of the litigation, and I have instructed Class Counsel throughout. I have also reviewed the pleadings and certification motion materials.

9. I had input with respect to the settlement objectives contained in the agreements between the plaintiffs and the defendants (the "Settlement"). If approved by the court, the Settlement will resolve all outstanding litigation between the parties.

10. I have attended in Toronto to discuss this matter with Class Counsel and have met with members of the Class Counsel team to review and discuss the provisions of the Settlement. I have also spoken with a number of class members regarding the Settlement.

11. By virtue of my attendance at residential school, my experiences while there and my involvement with the Survivor Class as set out above, I have knowledge of the matters deposed to below.

The forcible taking and my transport to the Pelican Falls Residential School

12. In or about September of 1957 or 1958 (I believe I was approximately 7 years old – we went by seasons not by calendar years) a dark coloured Norseman airplane operated by Austin Airlines landed near our home on Makok Lake. On board the plane, in addition to the pilot, were an Indian agent and an R.C.M.P. Officer. The plane was grossly overloaded and I recall sitting on the floor without any safety belt. My siblings and I were forcibly placed onto the plane and taken from my family, against our will and against the wishes of my parents. I recall clinging to my parents to try to prevent this taking, without success.

13. I believe that the plane flew to Nakina where we were unloaded and put on a CNR train and sent to Sioux Lookout. No adult accompanied us on the train to Sioux Lookout. When we arrived in Sioux Lookout we were met and transported from there to the Pelican Falls Residential School (also known as the Sioux Lookout Indian residential school and the Pelican Lake Indian residential school) which I believe was several miles from the Sioux Lookout train station. I have since learned that I was taken roughly 600 kilometres on that trip, by air, train and bus.

14. When I was 7 years old I spoke no English. I had never before been in an airplane. I had never been on a train. The furthest I had travelled was to Ogoki Post, the nearest community to our home, which was approximately 60 kilometres away from my home at Makok Lake.

15. At home we had had no radio or television and no electricity. I was completely unprepared for the trip that I was subjected to and even less prepared for what was to follow.

My first day at residential school

16. Immediately upon arrival, my clothes were taken from me and I was “disinfected” with some sort of chemical. I was given institutional clothing to wear. My clothes, including the new underwear given to me had a large number 11 on them. Thereafter, I was called by my number,

although I did not understand, read or write English. It took me several months to learn that I was to be known as number 11; I could not speak or understand English and I did not understand that this was to be my new name; I was punished for not answering when spoken to. I wasn't called by my Christian name until many years later when I was sent to a public school in Sioux Lookout.

17. My long hair was cut. This happened to all of the children, including my siblings, upon arrival at the residential school.

My experience at the Pelican Falls Residential School

18. I have always been astounded that people refer to these institutions as "schools". I have no recollection of ever attending classes at the Pelican Falls Residential School. I do remember working. I was required to work in the barn. I looked after cows, chickens and pigs. Up until then, I had never seen farm animals and had no idea what their purpose was. I scrubbed the floors on my hands and knees with a cloth and a brush. I had to polish floors in the residential school as part of my regular routine.

19. I was punished if I was caught speaking Ojibway, the only language I understood. I was essentially unable to communicate with anyone, except in secret. Surprisingly, I still have the ability to speak Ojibway, despite the efforts of the adults at the residential school to prevent me from speaking my language. However, I know that many others lost the ability to speak in their native tongue.

20. I was separated from my siblings because the children at the school were divided into a junior intermediate and senior levels and we were not allowed to meet with children in the other levels.

21. We were fed in a cafeteria. The food was completely foreign to me and I hated it. However, I was punished if I didn't finish my meals and would have to sit there until I finished eating on many occasions. I was often forced to eat food and then, later, I vomited it.

22. I was punished for all manner of things. If I stepped out of line going to the washroom or leaving the playground or failed to ask permission to move anywhere, I would be punished. The punishment consisted of slapping and I was usually slapped about the head. Occasionally I was grabbed and thrown to the floor. If I or any of the other students were punished in this way we would be thrown down again if we got up and in this way, we were taught certain behaviours. For example, we were not permitted to talk while coming out of the dining room after a meal. If anybody talked they would grab us, one at a time and beat us.

23. We were strapped for what were considered more serious offences. For example, if any one of us refused to identify someone who had spoken in one of our lines, the Principal would come down to meet us and start strapping students, one at a time.

24. We were humiliated in other ways. For example, when I went to the bathroom I was given three and only three small sheets of toilet paper. After going to the bathroom I and the other students would be inspected to see if there was any smearing on our undershorts. If they found any smears on our undershorts we were forced to put our undershorts in our mouths.

25. When children tried to run away they would inevitably be caught, paraded into the cafeteria, required to remove their pants and then beaten on the buttocks publicly in front of the entire student body, boys and girls. This happened to both boys and to girls. As a result, I was afraid to run away. I tried once and was beaten publicly for doing so. Even if I had not been caught, I was too young to find my way home.

26. I do not recall ever being in a classroom from the time I was 7 until the time I was placed into what they called grade 5 or 6. At that time I was sent by bus to a public school in Sioux Lookout.

27. I was humiliated and made to feel ashamed of my identity as an Aboriginal person. The adults at the residential schools made me feel lost and alone. I had no one to talk to about these feelings. I lost an important connection to my parents. I also became disconnected to the ways of life of my family and the spiritual aspects of family life important to them.

The Shingwauk residential school

28. Around grade 6 or 7 my parents and uncles could see visible signs of injury on my body and those of my siblings when we were sent home in the summer. My uncle complained to someone and the next year we were sent to Shingwauk Residential School in Sault Ste. Marie. This school was roughly 800 kilometres from my home. Ultimately, I attended public schools in Sault Ste. Marie and Geraldton. I believe that I was almost 22 years old when I was deemed to have finished grade 12.

29. I do recall that from the time I was 18 until the time I was 22, I wasn't allowed to go home in the summer. When I did return home at age 29, in the summer of 1980, my father felt that I had dishonoured and abandoned the family by my absence and decided that he didn't want to have anything more to do with me. He told me to leave. The fact was that I simply had no way of getting home in those intervening years and despite wanting to return to my home, I could not.

30. I did not reconcile with my father until 1989 after I had spent 18 months in jail for committing certain violent offences. My father died in 1994.

Sexual Assaults at the residential school

31. I was seriously sexually assaulted while at the Pelican Falls Residential School. This abuse profoundly injured me and, in my view, ultimately lead me into a life involving crime and abuse. It has made me unable to respond appropriately to the loving relationship I have with my present wife; my first marriage was a failure.

32. We slept in a dormitory at the school. Supervisors would walk around the dormitory at night, in between the beds. After the lights were turned off and they would molest us. I was molested. It happened to me over and over again. I believe that virtually every supervisor molested children in the dormitory.

33. When I was about 9 years old I was forced to fellate another boy about my own age. I know this happened to many of the other children in the residential school. Most of the children were scared most of the time, myself included.

34. At Pelican Falls there was a woman in her late 20's who was assigned the task of bathing us. We would get a bath every Friday evening. She scrubbed us so hard that our skin would bleed. She invariably grabbed my genitals each time she bathed me, until it hurt. She seemed, to me, to get pleasure from grabbing my genitals. There was no reason why I couldn't have bathed myself.

Loss of Language, Culture Customs and Traditions

35. Aboriginal language, culture, customs and traditions are generally passed from generation to generation by listening and speaking and through active participation in events and ceremonies within families and communities.

36. Aboriginal languages, culture, customs and traditions define our Aboriginal identity and I verily believe they are vital to the well-being of all Aboriginal People, myself included.

37. In my case, I learned what I know of our language, culture, customs and traditions from my family and from mostly elders in my community.

38. During the time I was at residential school I was prevented from practicing and learning our language, culture, customs and traditions and I was taught to be ashamed of my language, culture, customs and traditions. I was also punished for even speaking my Aboriginal language. As a result, I suffered a significant loss of tradition, customs and culture. I was forced to celebrate Christian holidays and was steered away from the traditional ceremonies and events important to my own family. When I finished with the schools I could not reconnect completely with my own tradition and customs. As set out above I was also estranged from my family.

39. I have spoken with hundreds of residential school survivors and hundreds of family members of residential school survivors and I believe that the residential school system impeded our right to sustain, enjoy, practice and transmit our families' and communities' languages, culture, customs and traditions.

Recognizing the impact of the residential school experience

40. It was not until the Fall of 1999 that I really reflected on the abuse I suffered at residential schools. I had simply repressed these memories as I tried to carry on with my day to day life after I left Shingwauk for good.

41. However, in the Fall of 1999 a traditional healer from Saskatchewan, Francis Macadam, came to our reserve and recognized the pain that I was experiencing and talked with me and asked me to relive my residential schools experience with him. He told me that I needed to tell

people about what happened to me and that many children who were in residential schools with me were unable to do so on their own and could not be healed. He encouraged me to help others who had suffered with me.

42. Since then, I have committed myself to this effort.

43. I have been instrumental in arranging for traditional healers to come to the Constance Lake First Nation to meet with survivors like me.

44. I know that many of the children who attended at residential schools with me and others who attended other residential schools at other times are simply unable to advocate on their own behalf. Many survivors are vulnerable, embarrassed and afraid to explain what happened to them. Many are leery of people in authority (such as the justice system) and have lost faith that they can be helped.

45. Most survivors are poor. Their poverty is often directly caused by their experiences at the schools. They cannot afford to litigate and absent this action would simply not be able to sue. Also, most survivors I speak with strongly believe that if they have to start their own claims they will suffer even more emotional harm. I believe that the fact that I am prepared to act as representative plaintiff and help advance this claim on their behalf will be a great help to many, and the only realistic hope for justice in their lifetime.

46. I was physically and sexually abused at residential school. I was deprived of my dignity and subjected to humiliation. I was forcibly removed from my family and confined against my will and against the will of my parents. My childhood was stolen from me. I was never properly educated or cared for. I was prevented from honouring my customs and tradition and from even speaking my own language.

47. I was told that I was inferior and that I needed to abandon my tradition and customs. As a result I suffered injury, harm and damage. I knew that thousands of others did as well.

I am prepared to act as representative plaintiff of the Survivor Class

48. I am prepared to act as representative plaintiff of the Survivor Class.

49. I will fairly and adequately represent the interests of the Survivor Class if the court appoints me as representative plaintiff. I appreciate that my role is to protect the interests of the Survivor Class.

50. I believe that Canada has breached its duty to me and to the Survivor Class through its administration of the residential schools system and that, as a result, I, and the Survivor Class, are entitled to compensation.

51. I understand that the major steps in the class action can be summarized as follows:

- (a) the action was started by the issuance of the statement of claim. That claim has been amended in a fresh as amended statement of claim. Further amendments have been made in the Master Claim;
- (b) I am now asking the court to certify the action as a class proceeding by this motion for certification;
- (c) if the court certifies the action as a class proceeding, the certification notice will be sent to Survivor Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
- (d) at the same time, the court will be asked to approve the proposed settlement;
- (e) Survivor Class Members will have the right to object to the settlement;
- (f) if the settlement is approved by the court, Survivor Class Members who do not opt out will receive the benefits set out in the settlement agreement;
- (g) in the event the Survivor Class Members wish to make an additional claim, the settlement gives Survivor Class Members the opportunity to participate in further hearings if their involvement is necessary to prove or assess damages;

- (h) appeals of decisions may be taken at various stages of the settlement; and
- (i) the court will supervise the execution and administration of the settlement.

52. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to:

- (a) to review the Master Claim and any further amendments;
- (b) to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval;
- (c) to attend, if necessary, with Class Counsel for cross examination on my affidavit;
- (d) to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary;
- (e) to receive briefings from and to instruct Class Counsel;
- (f) to seek the court's approval of agreements respecting Class Counsel's fees and disbursements; and
- (g) to communicate with Survivor Class Members throughout and through our counsel, as required.

53. To date, the following are some of the steps I have taken to fairly and adequately represent the Survivor Class Members:

- (a) I retained and instructed Class Counsel to commence this class proceeding;
- (b) negotiated and executed an agreement respecting Class Counsel's fees and disbursements;
- (c) discussed with Class Counsel the nature of this class action, including the risks and costs of same;
- (d) assisted, as necessary, in drafting the statement of claim;
- (e) obtained documents and other information at the request of Class Counsel;
- (f) met with Class Counsel on various occasions;
- (g) approved the participation of Class Counsel as co counsel in this class proceeding; and
- (h) instructed Class Counsel, as necessary.

54. I have reviewed a copy of the original Litigation Plan (the "Plan") that was presented to court in this proceeding. I do not have any legal expertise to permit me to evaluate the legal aspects of the Plan, but I accept this Plan has been formulated by experienced Class Counsel. I understand that the court will be asked to adopt it to the extent necessary.

Identifiable Class

55. I have reviewed the Master Claim. In my view, the class definition for the survivor class is accurately and validly set out therein.

56. I believe that this definition is an objective definition and that Survivor Class Members, upon receiving or reading the certification notice, will easily be able to determine whether or not they qualify as a Survivor Class Member.

Common Issues

57. The common issues are accurately and validly set out in the Master Claim.

58. I have reviewed the Common Issues in the Master Claim and, while I do not have any legal expertise to permit me to evaluate the Common Issues, I accept that these Common Issues have been formulated by experienced Class Counsel. I understand and believe that the Common Issues listed are issues that would need to be addressed by virtually every individual Survivor Class Member if this matter did not proceed by way of a class action and that a resolution of these Common Issues will significantly advance this litigation.

Preferable Procedure

59. I believe that a class action is the preferable procedure to resolve the Common Issues.

60. The class action will provide access to justice for myself and other Survivor Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a

position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their residential school experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of residential school survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

61. I do not believe that I have any interest that is in conflict with the interest of any other Survivor Class Members.

62. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The proposed settlement

63. I have reviewed the affidavit of Richard Courtis filed in support of the motion for settlement approval. I agree with Mr. Courtis that the settlement is fair, reasonable and in the best interests of the Survivor Class Members.

64. If this action had not been settled, there would have been a contested certification motion. Even if the plaintiffs had been successful, I believe that the defendants would have sought leave to appeal. If leave had been granted, further appeals were possible.

65. If there was a trial of the Common Issues on a contested basis, the litigation process to determine liability would have been protracted, and no Survivor Class Member would have been paid, if at all, until the litigation process ended.

66. Given the complexity of this case, and its importance, appeals from the decision at the Common Issues trial would have been inevitable. If the settlement is not approved, it will be at

least five years before those issues are finally determined and the Survivor Class Members provided with an opportunity to obtain compensation, if successful.

67. If the settlement is approved, compensation will be immediately available for all Survivor Class Members.

68. I have reviewed the claims process in the claims administration process and find it to be reasonable and fair, particularly in light of the fact that there are provisions for the court to exercise continuing jurisdiction over the claims administration process to ensure that the administration and payment of claims is effective and fair.

69. My objectives in this litigation have been satisfied by this proposed settlement which combines effective court supervision of the claims administration process, and the provision of a full and complete measure of damages to Survivor Class Members.

70. I am satisfied that the settlement is fair, reasonable and in the best interests of the Survivor Class.

71. I respectfully request the court to approve the settlement. The proposed settlement allows Survivor Class Members to obtain compensation fairly and efficiently.

72. I swear this affidavit in good faith and for no improper purpose.

SWORN BEFORE ME at the
Constance Lake First Nation in the
Province of Ontario on June 17, 2006.

R. Roberts

Commissioner for Taking Affidavits

Charles Baxter Sr

CHARLES BAXTER, SR.

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

**CHARLES BAXTER SR., ELIJAH BAXTER,
 LARRY PHILIP FONTAINE in his personal capacity and in his capacity as the Executor
 of the estate of Agnes Mary Fontaine, deceased, JAMES FONTAINE in his personal
 capacity and in his capacity as the Executor of the Estate of Agnes Mary Fontaine,
 deceased, FRED KELLY, VINCENT BRADLEY FONTAINE, NATIONAL INDIAN
 BROTHERHOOD also known as ASSEMBLY OF FIRST NATIONS, NORMAN
 PAUCHEY, ALVIN BARNEY SAULTEAUX, EARL KENNETH COTE, KEITH
 DIETER, ALVIN GERALD STRAIGHTNOSE, KENNETH SPARVIER, DENNIS
 SMOKEYDAY, RHONDA BUFFALO, CLIFFORD HOUSE, JIM CHEWANISH, SIMON
 SCIPIO, MARIE GAGNON, CORNELIUS McCOMBER, EDWARD TAPIATIC,
 ELIZABETH SCIPIO-KOOKASH, HELEN WINDERMAN, ANN DENE, ERNESTINE
 CAIBAIOSAI-GIDMARK, JOHN BOSUM, FLORA NORTHWEST, ADRIAN
 YELLOWKNEE, MICHAEL CARPAN, MICHAEL PETER ABRAHAM, JOBIE
 ABRAHAM, CHARLOTTE ABRAHAM, MINNIE ABRAHAM, JOSCELYN
 ABRAHAM, CHRISTINE SEMPLE, JAME McCALLUM, STANLEY THOMAS
 NEPETAYPO, PEGGY GOOD, CAMBLE QUATELL, MICHELLINE AMMAQ,
 BLANDINA TULUGARJUK, ROSEMARIE KUPTANA, DONALD BELCOURT,
 THERESA LAROCQUE and ELIZABETH KUSIAK**

Plaintiffs

- and -

**THE ATTORNEY GENERAL OF CANADA, 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 ATHBASCA, THE SYNOD OF THE DIOCESE OF
 BRANDON, THE SYNOD OF THE DIOCESE OF BRITISH COLUMBIA, THE SYNOD
 OF THE DIOCESE OF CALGARY, THE DIOCESE OF THE SYNOD 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 IN CANADA, THE BOARD OF THE 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 PROVINCE, LES 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 OBLATS 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 DU 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) ON 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 SAINT-HYACINTHE, LES SOEURS DE L'ASSOMPTION DE LA SAINT 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 DE 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 HEARTS 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 ORDERS OF JESUS
AND MARY and LES SOEURS DE JESUS-MARIE), THE SISTERS OF THE 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 and THE BAPTIST
CHURCH IN CANADA**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**AFFIDAVIT OF ELIJAH GEORGE BAXTER
(sworn May12, 2006)
(Settlement Approval)**

I, **ELIJAH GEORGE BAXTER**, of the Town of Geraldton, in the Province of Ontario,
MAKE OATH AND SAY:

1. I am representative plaintiff and bring this action on my own behalf and on behalf of all the Family Class Members ("the Family Class" or the "Family Class Members") as described in the Plaintiffs' Master Statement of Claim (the "Master Claim").
2. I am an Ojibway and a Status Indian.
3. I was born on January 27, 1923. I went to residential school in or about 1932, when I was approximately 9 years old. I attended at the Pelican Falls Residential School (also known as Sioux Lookout Indian Residential School and Pelican Lake Indian Residential School) for approximately 3 years. My children attended at residential schools, as well.

4. By virtue of my own experience at residential schools, the fact that my children also attended these schools and by reason of the information hereinafter described, I have knowledge of the matters deposed to below.

5. In June 2000, I retained Thomson Rogers LLP and Richard Courtis ("Class Counsel") to commence a class action against the Attorney General of Canada ("Canada") and others in order to address the losses suffered by class members in Canada as a result of the residential school system.

6. Throughout this litigation, I have been actively involved as a representative plaintiff. Class Counsel have made efforts to keep me apprised of the progress of the litigation, and I have instructed Class Counsel throughout. I have also reviewed the pleadings and the certification motion materials.

7. I had input with respect to the settlement objectives contained in the agreement between the plaintiffs and the defendants (the "Settlement"). If approved by the court, the Settlement will resolve all outstanding litigation between the parties.

8. I have met on many occasions with Mr Courtis on behalf of all Class Counsel to review and discuss the provisions of the proposed Settlement. I have also spoken with large numbers of class members regarding the Settlement.

My transport to residential school in 1932

9. Up until the time I was approximately 9 years old I lived with my parents and my brothers and sisters. We lived East of the old Ogoki Post on the Albany River in Ontario at a location known as Washi Lake. Our family later moved to Makokibaten Lake.

10. In order for me to get to residential school I was transported by canoe down the Albany River to the Nagagami River. We then paddled to the Pagwa River and then upstream to the CNR tracks near Calstock. From there I was sent by train to Sioux Lookout and ultimately to the Pelican Falls Residential school.

11. I had never been away from my parents before.

12. I was kept at the Pelican Falls Residential School for almost 3 complete years from 1932 until the summer of 1935, as best as I can remember. I was not allowed to go home in the summers of 1933 or 1934 as a punishment for a "crime" I did not commit. My parents did not send my 3 older brothers back to the residential school in the fall of 1932. I was therefore kept captive at the school for almost 3 full calendar years.

13. I was essentially treated as a slave. I recall getting up very early in the morning and working on the farm until approximately 11:00 a.m. I was then given a breakfast and forced to go back and work on the farm for the rest of the day. While some portion of the afternoon was apparently devoted to study I never learned to read or write or do arithmetic and do not recall any classroom work at all.

Sexual and Physical Abuse

14. While at the school I was sexually abused on several occasions. I was sodomized by a man who I believe was named Jack Morris. He was a teacher at the school.

15. I was physically abused on many occasions. I was strapped with a 30 inch length of cut conveyor belt which was approximately a half inch thick and a half inch wide. The usual punishment I received was 6 strokes on my buttocks. On some occasions all of the students were strapped collectively one boy at a time. I was regularly hit on the back of the head or on other

parts of my body if members of the staff caught me speaking my native language or if someone thought I was breaking one of the many rules.

Loss of Language, Culture, Customs and Traditions

16. Aboriginal language, culture, customs and traditions are passed from generation to generation by parents or elders speaking with children about our customs and demonstrating to them our traditions and ceremonies.

17. Aboriginal languages, culture, customs and traditions define our Aboriginal identity and I verily believe they are vital to the well-being of all Aboriginal People, myself included.

18. In my case, I learned what I know of our language, culture, customs and traditions from my family and from my community.

19. During the time I was at residential school I was prevented from practicing and learning our language, culture, customs and traditions and I was taught to be ashamed of our language, culture, customs and traditions. I was also punished for even speaking Ojibway.

20. Later, while my own children were in residential school I was unable to share with them or pass on to them the language, culture, customs, traditions of my family and community. I was told by my children, and do verily believe, that their experiences at residential school were similar to mine in that they were taught to be ashamed of our culture, customs and traditions and they were likewise punished if they tried to speak Ojibway or practice our customs.

21. I have spoken with many residential school survivors and hundreds of family members of residential school survivors and I do verily believe that the residential school system interfered with our right to sustain, enjoy, practice and transmit our families' and communities' languages, culture, customs and traditions.

After Residential School

22. My family moved to Washi Lake in 1938 when I was approximately 15 years old. I stayed there until I moved to take up my own trap line on Makokibatan Lake.

23. In 1942 I was called up for military service, but I was discharged because I had a foot injury. During the war I worked road construction and other jobs, while maintaining my trap line.

24. After the war I married and went back to the bush to live. I established a homestead at Makokibatan Lake and raised my own family there. I have 11 children.

My own children were sent to residential school

25. I was forced to send my own children to residential school, knowing the abuse that I had suffered there. I felt that I had no choice, as I knew I would be punished if I did not send them away. I was aware at the time that a number of Indian people had been put in jail for failing to send their children to residential school when required by law to do so. I simply had no choice.

26. At times I noticed that my children were returning from residential school with marks of physical abuse on them. This hurt me deeply. I complained to an Indian Affairs agent named Gowens about the abuse that my children were suffering at the Pelican Falls Residential School. The Indian agent agreed to transfer my children and my nieces and nephews to the Shingwauk School in Sault Ste. Marie and they went there thereafter. But I had little faith that their abuse would stop.

27. I suffered greatly because of the harm inflicted on my children by Canada. I was a victim of abuse and so I was vulnerable. I was powerless to protect my own children. My relationship with my children was forever damaged by their experiences at residential school. Even though I

knew, rationally, that I was powerless to stop the government, I blame myself for the pain and suffering they endured. I know that the residential school experience and the systematic abuse, breach of duty and breach of aboriginal rights by the government caused inter-generational harm to me, my family, my whole community, and Aboriginal persons generally in this country. That is why I bring this action and seek leave to certify the claim as a class proceeding.

I am prepared to act as representative plaintiff of the Family Class

28. I am prepared to act as representative plaintiff of the Family Class.

29. I will fairly and adequately represent the interests of the Family Class if the Court appoints me as representative plaintiff. I appreciate that my role is to protect the interests of the Family Class.

30. I believe that Canada has breached its duty to me and to all Family Class Members through its administration of the residential schools system and that, as a result, I, and the Family Class Members, are entitled to compensation or redress.

31. I understand that the major steps in the class action can be summarized as follows:

- (a) the action was started by the issuance of the statement of claim. That claim has been amended in a fresh as amended statement of claim. Further Amendments have been made in the Master Claim;
- (b) I am now asking the court to certify the action as a class proceeding by this motion for certification;
- (c) if the court certifies the action as a class proceeding, the certification notice will be sent to Family Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
- (d) at the same time, the court will be asked to approve the proposed settlement;
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- (f) if the settlement is approved by the court, Family Class Members who do not opt out will receive the benefits set out in the settlement agreement;
- (g) appeals of decisions may be taken at various stages of the settlement; and,
- (h) the court will supervise the execution and administration of the settlement.

32. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff for the Family Class, it is my responsibility, among other things, to be familiar with this action, and:

- (a) to review the Master Claim and any further amendments;
- (b) to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval;
- (c) to attend, if necessary, with my counsel for cross examination on my affidavit;
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- (g) to communicate with Family Class Members throughout and through our counsel, as required.

33. To date, the following are some of the steps I have taken to fairly and adequately represent the Family Class Members:

- (a) I retained and instructed Class Counsel to commence this class proceeding;
- (b) negotiated and executed an agreement respecting Class Counsel's fees and disbursements;
- (c) discussed with our Class Counsel the nature of this class action, including the risks and costs of the action;
- (d) assisted, as necessary, in drafting the statement of claim;
- (e) obtained documents and other information at the request of Class Counsel;
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- (g) approved the participation of other as co-counsel in the class proceeding; and,
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34. I have reviewed a copy of the original Litigation Plan (the "Plan") that was presented to the court in this proceeding. I do not have any legal expertise to permit me to evaluate the legal aspects of the Plan, but I accept this Plan has been formulated by experienced Class Counsel. I understand that the court will be asked to adopt it to the extent necessary.

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35. I have reviewed the Master Claim. In my view the class definition for the Family Class is accurately and fairly set out therein.

36. I believe that this definition is an objective definition and that Class Members, upon receiving or reading the Certification Notice, will easily be able to determine whether or not they qualify as a Family Class Member.

Common Issues

37. The common issues are set out accurately and appropriately in the Master Claim.

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Preferable Procedure

39. I believe that a class action is the preferable procedure to resolve the Common Issues.

40. The class action will provide access to justice for myself and other relatives of Family Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their own and/or their relatives residential school experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of relatives of residential school survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

41. I do not believe that I have any interest that is in conflict with the interest of any other Family Class Members.

42. I believe that I can fairly and adequately represent the interest of the Family Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The proposed settlement

43. I have reviewed the affidavit of Richard Curtis filed in support of the motion for settlement approval. I agree with Mr. Curtis that the Settlement is fair, reasonable and in the best interests of Family Class Members.

44. If this action had not been settled, there would have been a contested certification motion. Even if the plaintiffs had been successful, I believe that the defendants would have sought leave to appeal. If leave had been granted, further appeals were possible and delays inevitable.

45. If there was a trial of the Common Issues on a contested basis, the litigation process to determine liability would have been protracted, and no Family Class Member would have

obtained redress, if at all, until the litigation process ended, a process that would inevitably stretch over many years in the course of which many class members would die without redress.

46. Given the complexity of this case, and its importance, appeals from the decision at the Common Issues trial would have been inevitable. If the Settlement is not approved, it will be at least five years before these issues are finally determined and the Family Class Members provided with an opportunity to obtain redress, if successful.

47. If the Settlement is approved, programmatic redress and opportunities for healing will be immediately available for all Family Class Members.

48. I have reviewed the claims process in the proposed claims administration process for the survivors of the schools and find it to be reasonable and fair, particularly in light of the fact that there are provisions for the court to exercise continuing jurisdiction over the claims administration process to ensure that the administration and payment of claims of survivors is effective and fair, and therefore fair and acceptable to the members of the family class as well.


49. My objectives in this litigation have been satisfied by this proposed settlement which combines effective court supervision of the claims administration process, and the provision of a full and complete measure of damages to survivors of the schools and an acceptable response to the claims of the family class members.

50. I am satisfied that the Settlement is fair, reasonable and in the best interests of the class.

51. I respectfully request the court to approve the Settlement. The proposed settlement allows Class Members to obtain justice fairly and efficiently.

52. I swear this affidavit in good faith and for no improper purpose.

SWORN BEFORE ME at the City of
Thunder Bay on May 12, 2006.



Commissioner for Taking Affidavits



ELIJAH GEORGE BAXTER

**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*

**AFFIDAVIT OF EVELYN BAXTER
SWORN THIS 19TH DAY OF JULY, 2006**

I, EVELYN BAXTER, of the City of Thunder Bay, in the Province of Ontario, MAKE OATH AND STATE THAT:

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Family Class Members, as described and defined in the proposed Amended Statement of Claim (the "Claim").
2. I was born on April 12th, 1967. I am a member of the Marten Falls First Nation, in the province of Ontario. I reside in the province of Ontario.
3. My mother, Ruth Baxter, attended at the Pelican Falls Indian Residential School and the Shingwauk Residential School ("Residential School"). In addition my relatives, and in particular my grandparents and my great uncle Elijah Baxter as well as my cousin Charles Baxter, both of whom are representative Plaintiffs in this action, attended at residential schools, as they have described in their Affidavits. I did not attend a residential school myself.

4. I meet the definition of a Family Class Member as set out in the Claim.

OVERVIEW OF MY POSITION

5. The damage done by Canada's residential schools policy has been devastating to the aboriginal community. While the Survivor Class has borne the brunt of that pain, through the direct experiences at Residential School, that legacy has been passed on to children and grandchildren of Survivors and to the wider aboriginal community.

6. As a Family Class Member, I have observed and felt the effects of the pain and humiliation suffered by my mother in many ways. The multi-generational impacts of the residential schools policy are undeniable.

7. I believe it is important for all members of the Class, including the Family Class and the entire aboriginal community, to seek some form of closure on this tragic part of our history. It is time for the individuals who have suffered to seek reconciliation and attempt to rebuild themselves and their communities. It is time to focus on the positive, and I believe that this settlement is an essential part of that process. I therefore support the proposed settlement as described in the settlement agreement filed with the Court.

MY EXPERIENCE AS A FAMILY MEMBER OF A RESIDENTIAL SCHOOL SURVIVOR

8. As a family member of a Residential School survivor, I have seen and experienced the ongoing effects of the Residential School experience. I believe that my relatives were abused at Residential School, and also deprived of adequate food, health care, and education at various times. Additionally, they were prohibited from speaking our aboriginal language and practicing our aboriginal customs.

9. I believe the Residential School experience affected my relatives. Many of my relatives have advised me that they felt degraded and humiliated. I believe that the Residential School experience affected their ability to relate to other people and to heal from their residential school experiences.

10. As a result of their Residential School experiences, my relatives often found it difficult to express affection towards me, both verbally and physically. I believe our relationship was at times cold and distant because they did not experience a loving and expressive relationship from caregivers while attending Residential School. The mere fact that they were taken from their parents meant that they missed out on a normal upbringing and never really learned how to parent effectively.

11. The experiences of my relatives at Residential School are tragic, and it saddens me to even think of them. It is simply impossible to imagine that such devastating treatment would not have irreversibly damaged them for life, and thus contributed to a multi-generational loss to the aboriginal community.

12. Accordingly, I believe that both my relatives and I suffered harm as a result of the Residential School experience.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

13. I am prepared to act as representative plaintiff of the Class, and in particular the Family Class in this proceeding. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of this Class.

14. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to some form compensation or redress.

15. I understand that the major steps in a class action typically include: the issuance of the statement of claim (and amendments to it if required); a motion for certification (including the exchange of supporting affidavits and cross examinations as necessary); and, assuming the action is certified as a class proceeding, discoveries, a trial as required, and potentially appeals.

16. In this case, the parties have reached a settlement which they ask the Court to approve. I am now asking the Court to certify the action as a class proceeding by this motion for certification, and approve the settlement. I understand that if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period. The Class Members will also be given full particulars of the settlement, if approved.

17. Class Members will have the right to object to the proposed settlement, and if approved those members who do not opt out will receive the benefits of the settlement agreement.

18. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments, to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval, to attend, if necessary, with Class Counsel for cross examination on my affidavit, to receive briefings from and to instruct Class Counsel, to seek the court's approval of agreements respecting Class Counsel's fees and disbursements and to communicate with Class Members as required.

I have Taken Steps to Carry out my Obligations as Representative Plaintiff:

19. To date, I have taken steps to fairly and adequately represent the Class Members, including meeting with counsel as required, and instructing counsel as necessary.

20. I agree with the proposed definitions of the Classes in the claim and believe that they will allow individuals to determine whether they qualify as a Class member.

21. I have reviewed the common issues set out in the Claim. I believe these issues would need to be addressed by virtually every individual Class Member if this matter did

not proceed by way of a class action and that a resolution of the common issues would significantly advance this litigation.

22. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Family Class Members. I am aware that many aboriginal persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without these class actions.

23. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interests of the Family Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

THE PROPOSED SETTLEMENT

24. I am advised by class counsel and do verily believe that:

- (a) the proposed settlement was reached through a long process of negotiation.
- (b) The Honourable Frank Iacobucci, Q.C. was appointed in May 2005 as the Federal Representative responsible for convening and superintending multi-party settlement negotiations.
- (c) Those negotiations were held in various cities across Canada over the summer and fall of 2005, with various stakeholders attending, including legal counsel as well as aboriginal representatives from the Assembly of First Nations, among others.

- (d) An agreement in principle was reached with that group on November 20, 2005, and a final settlement agreement was reached on May 10, 2006; and
- (e) That settlement agreement was subsequently approved by the federal cabinet, and now is put forward for approval by the various courts.

25. I have discussed the settlement agreement with class counsel. There were special risks relating to the claims of the Family Class which included: the absence of a statutory foundation similar to Ontario's Family Law Act in other provinces and Territories; absence of statutory foundation in Ontario prior to 1978; compelling Limitation defences without the mitigating factors that applied to the claims of survivors and significant difficulties in the assessment of damages. I believe that this settlement package is beneficial to the Family Class Members.

26. Based on my discussions with class counsel, my own belief based on my training as a lawyer and my review, I verily believe that the components of the settlement agreement which are beneficial to the Family Class members include the following:

- (a) There is a payment of \$125,000,000 to the Aboriginal Healing Foundation. That Foundation is focused exclusively on addressing the healing needs of aboriginal people affected by the residential schools legacy, including the intergenerational impacts. The Foundation will use the funds to pay for community based healing programs designed with a holistic approach. The Foundation's mandate is to fund projects which help communities knit together social, health and other programs into an accessible format to help address the many ways in which individuals have suffered as a result of the residential schools legacy (i.e. substance abuse problems, ill health effects, social, behavioral and emotional problems, educational needs, difficulties obtaining employment, etc.)

The Foundation is national in scope and accepts applications from aboriginal individuals, groups and organizations throughout Canada. It

has a specific mandate to address the intergenerational impact of the residential schools legacy and the funds being provided under the settlement provide a direct and accessible benefit to the Family Class members;

- (b) An additional \$20,000,000 has been allocated to fund community based commemoration projects to acknowledge and remember how the residential schools policy has affected the Class. The purpose of commemoration is to honour and validate the healing and reconciliation of the Class through the creation of memorial structures, ceremonies and other projects;
- (c) A Truth and Reconciliation Commission is established through funding of \$60,000,000, to provide an open, safe and holistic environment for the Class and the community to come forward with their experiences, with a view to raising public awareness, facilitating healing and rebuilding in the communities and providing a record for future generations. Both the commemoration projects and the truth and reconciliation initiatives are the foundation of the settlement package which are designed to ensure that the stories of Family Class Members can be told and remembered in future generations;
- (d) A provision is made for surplus Common Experience Payment funds to be further disseminated to the Survivor Class by way of personal credits of up to \$3000, which are transferable to Family Class Members. If a surplus of more than \$40 million remains from the \$1.9 billion set aside for the Common Experience Payments to the Survivor Class, those further credits will be provided. Those personal credits, many of which will likely be designated for use by Family Class Members, can be used for educational services provided by approved educational entities. It is my belief that given the educational nature of the personal credits, there is a strong likelihood that many members of the Survivor Class will pass on those

Court file no. 08-05-401 CVC

IN THE NUNAVUT COURT OF JUSTICE

BETWEEN:

**MICHELLINE AMMAQ, BLANDINA TULUGARJUK and
NUNAVUT TUNNGAVIK INCORPORATED**

Plaintiffs

- and -

ATTORNEY GENERAL OF CANADA

Defendant

AFFIDAVIT OF JANET BREWSTERSWORN THIS 21 DAY OF July, 2006

I, JANET BREWSTER, of the City of Iqaluit, in the Territory of Nunavut, MAKE OATH AND STATE THAT:

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the proposed Amended Statement of Claim (the "Claim").
2. I was born on September 10, 1970. I am an Inuk enrolled under the Nunavut Land Claims Agreement. I reside in the Territory of Nunavut.
3. My mother attended at Akaitcho Hall Indian Residential School ("Residential School") in Yellowknife from 1964 to 1969. My stepfather, a Métis man, attended at Grollier Hall Residential School in Inuvik and the school in Fort Smith. I did not attend a residential school myself.
4. I meet the definition of a Family Class Member as set out in the Claim.

OVERVIEW OF MY POSITION

5. The damage done by Canada's residential schools policy has been devastating to the Inuit community. While the Survivor Class has borne the brunt of that pain, through the direct experiences at Residential School, that legacy has been passed on to children and grandchildren of Survivors and to the wider Inuit community.
6. As a Family Class Member, I have felt the effects of the pain and humiliation suffered by my mother, my stepfather, my grandmother and my grandfather in many ways. The multi-generational impacts of the residential schools policy are undeniable.
7. I believe it is important for all members of the Class, including the Family Class and the entire Inuit community, to seek some form of closure on this tragic part of our history. It is time for the individuals who have suffered to seek reconciliation and attempt to rebuild themselves and their communities. It is time to focus on the positive, and I believe that this settlement is an essential part of that process. I therefore fully support the proposed settlement.

MY EXPERIENCE AS A FAMILY MEMBER OF A RESIDENTIAL SCHOOL SURVIVOR

8. As a family member of a Residential School survivor, I have seen and experienced the ongoing effects of the Residential School experience. I believe that my mother and her siblings were abused at Residential School, and deprived of adequate food, health care, and education. Additionally, my mother and her siblings were prohibited from speaking our aboriginal language and practicing our aboriginal customs.
9. As a result of their time as Residential Schools, my parents had a difficult time supporting me in my educational, emotional and cultural growth. They faced complex challenges in supporting my educational growth because they both found it difficult to deal with teachers and to engage in activities like parent/teacher interviews.
10. My stepfather committed suicide in 2003.

11. My mother is a world-renowned interpreter and translator of English and Inuktitut. However, as a result of being discouraged from speaking her language in school, she stopped speaking Inuktitut to me when I reached school age.
12. My grandmother was a unilingual Inuk, speaking only Inuktitut. Since I did not and do not speak Inuktitut, I was rarely able to have a conversation with her without the aide of an interpreter. I know we both lost so much from not being able to speak the same language. It was difficult for me to learn from her and to bond with her when I was unable to understand her.
13. We have quite often cried out of frustration and deep sadness at our inability to speak to each other.
14. I have seen a letter that my grandfather wrote to Indian Affairs Canada complaining about the fact that two of his boys came home from All Saints Anglican School in Aklavik in 1957 unable to speak Inuktitut and that my grandmother and many other unilingual Inuit were having trouble communicating with their children.
15. I believe the Residential School experience affected my mother, stepfather aunts and uncles in that my they felt degraded and humiliated. I believe that the Residential School experience affected my parents ability to relate to other people, and in particular, negatively affected my relationship with my grandmother mother, stepfather, aunts and uncles.
16. As a result of his/her Residential School experience my parents found it difficult to express affection towards me, both verbally and physically. I believe our relationship was abnormally cold and distant because my parents did not experience a loving and expressive relationship from caregivers while attending Residential School.
17. From the time that I was a child, my parents have discouraged me from expressing emotions such as sadness or fear. If I came to them crying, they often reacted angrily or did little more than pat me on the back and tell me to "Stop crying and go wash my face." I have struggled not to become angry or unemotional when my older children cry and it

can be difficult for me to comfort them because I am sometimes torn between my natural urge to console them and the anxiety that I developed after being discouraged from seeking comfort from my parents. Many of my parenting skills have been developed through reading, observing and talking to other parents that I perceive as "normal." While my children are all healthy and happy and doing well in school and socially, I often feel that I lack adequate parenting skills and get filled with an overwhelming sense of disappointment in myself if they are unhappy or misbehaving.

18. The experiences of my mother, stepfather, aunts and uncles at Residential School are tragic, and it saddens me to even think of them. It is simply impossible to imagine that such devastating treatment would not have irreversibly damaged them for life, and thus contributed to a multi-generational loss to the Inuit community.
19. Accordingly, I believe that both my parents, grandparents, aunts, uncles and many Inuit others and I suffered harm as a result of the Residential School experience.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

20. I am prepared to act as representative plaintiff of the Class, and in particular the Family Class in this proceeding. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
21. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to some form compensation or redress.
22. I understand that the major steps in a class action typically include: the issuance of the statement of claim (and amendments to it if required), and the provision of a defence; a motion for certification (including the exchange of supporting affidavits and cross examinations as necessary); and, assuming the action is certified as a class proceeding, discoveries, a trial as required, and potentially appeals.

23. In this case, the parties have reached a settlement which they ask the Court to approve. I am now asking the Court to certify the action as a class proceeding by this motion for certification, and approve the settlement. I understand that if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period. The Class Members will also be given full particulars of the settlement, if approved.
24. Class Members will have the right to object to the proposed settlement, and if approved those members who do not opt out will receive the benefits of the settlement agreement.
25. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments, to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval, to attend, if necessary, with Class Counsel for cross examination on my affidavit, to attend, if necessary, with Class Counsel at the settlement approval hearing and give evidence regarding the case, to receive briefings from and to instruct Class Counsel, to seek the court's approval of agreements respecting Class Counsel's fees and disbursements and to communicate with Class Members as required.

I have Taken Steps to Carry out my Obligations as Representative Plaintiff:

26. To date, I have taken steps to fairly and adequately represent the Class Members, including instructing counsel to amend and continue the prosecution of a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of the class actions, including the risks and costs of same, assisting in the amendment of the Claim, obtaining documents and other information at the request of counsel reviewing the litigation plan, meeting with counsel as required, and instructing counsel as necessary.

27. I have reviewed the Claim. I agree with the proposed definitions of the Classes and believe that they will allow individuals to determine whether they qualify as a Class member.
28. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of the common issues would significantly advance this litigation.
29. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Inuit live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their family member's Residential School experiences, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without these class actions.
30. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interests of the Class and in particular, the Family Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

THE PROPOSED SETTLEMENT

31. The proposed settlement was reached through a long process of negotiation. The Honourable Frank Iacobucci, Q.C. was appointed in May 2005 as the Federal Representative responsible for convening and superintending multi-party settlement negotiations. Those negotiations were held in various cities across Canada over the summer and fall of 2005, with various stakeholders attending, including legal counsel as well as aboriginal representatives from the Assembly of First Nations, Inuit and Inuvialuit representatives from Nunavut Tunngavik Incorporated, Inuvialuit Regional Corporation and Makivik Inc., among others.

32. An agreement in principle was reached with that group on November 20, 2005, and a final settlement agreement was reached on May 10, 2006. That settlement agreement was subsequently approved by the federal cabinet, and now is put forward for approval by the various courts.
33. I have reviewed the settlement agreement approved by the Federal Cabinet, and I have discussed it with Class Counsel. I believe that this settlement package is beneficial to the Family Class Members.
34. The components of the settlement agreement which are beneficial to the Family Class members include the following:
 - a. There is a payment of \$125,000,000 to the Aboriginal Healing Foundation. That Foundation is focused exclusively on addressing the healing needs of aboriginal people affected by the residential schools legacy, including the intergenerational impacts. The Foundation will use the funds to pay for community based healing programs designed with a holistic approach. The Foundation's mandate is to fund projects which help communities knit together social, health and other programs into an accessible format to help address the many ways in which individuals have suffered as a result of the residential schools legacy (ie. substance abuse problems, ill health effects, social, behavioral and emotional problems, educational needs, difficulties obtaining employment, etc.)
 - b. The Foundation is national in scope and accepts applications from aboriginal individuals, groups and organizations throughout Canada. It has a specific mandate to address the intergenerational impact of the residential schools legacy and the funds being provided under the settlement provide a direct and accessible benefit to the Family Class members;
 - c. An additional \$20,000,000 has been allocated to fund community based commemoration projects to acknowledge and remember how the residential schools policy has affected the Class. The purpose of commemoration is to

honour and validate the healing and reconciliation of the Class through the creation of memorial structures, ceremonies and other projects;

- d. A Truth and Reconciliation Commission is established through funding of \$60,000,000, to provide an open, safe and holistic environment for the Class and the community to come forward with their experiences, with a view to raising public awareness, facilitating healing and rebuilding in the communities and providing a record for future generations. Both the commemoration projects and the truth and reconciliation initiatives are the foundation of the settlement package which are designed to ensure that the stories of Family Class Members can be told and remembered in future generations;
- e. A provision is made for surplus Common Experience Payment funds to be further disseminated to the Survivor Class by way of personal credits of up to \$3000, which are transferable to Family Class Members. If a surplus of more than \$40 million remains from the \$1.9 billion set aside for the Common Experience Payments to the Survivor Class, those further credits will be provided. Those personal credits, many of which will likely be designated for use by Family Class Members, can be used for educational services provided by approved educational entities. It is my belief that given the educational nature of the personal credits, there is a strong likelihood that many members of the Survivor Class will pass on those credits to members of the Family Class, if a surplus exists. Surplus funds not disseminated in this way will go to the Assembly of First Nations and Inuit organizations for educational initiatives as well; and
- f. In addition to the foregoing, the various church entities that are parties to the Settlement Agreement will provide up to \$102.8 million, through cash and in-kind services to develop new programmes designed to assist with healing and reconciliation for the Family Class members and their communities.

- 35. The residential schools legacy has affected the Family Class and the entire Inuit community. The members of the Family Class face a lifetime of trying to adjust and adapt, and to reconcile the history of mistreatment by Canada with a desire to build a proud and strong community. I therefore believe that the wider support which is offered by this settlement is essential.

- 36. As a Family Class member, I believe that the significant monetary commitment made to the Inuit community as part of this settlement agreement will help in healing the breach between Canada and its Inuit, and help all Inuit to move beyond the tragic legacy of residential schools.

- 37. I am satisfied with the settlement, and believe that it meets the needs of the Class members. I also believe that it is important for the settlement to be approved. Absent a settlement, I fear that litigation could be protracted, and more and more members of my community would die without seeing a resolution to this legacy.

SWORN BEFORE ME at the City of)
 in the Territory of 27st , this 21st day of)
July , 2006.)
)
John Foulds)
 A NOTARY PUBLIC in and for the)
 Territory of)


 Janet Brewster

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

CHARLES BAXTER, SR. and ELIJAH BAXTER

Plaintiffs

- and -

THE ATTORNEY GENERAL OF CANADA, 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 ATHBASCA, THE SYNOD OF THE DIOCESE OF BRANDON, THE SYNOD OF THE DIOCESE OF BRITISH COLUMBIA, THE SYNOD OF THE DIOCESE OF CALGARY, THE DIOCESE OF THE SYNOD 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 IN CANADA, THE BOARD OF THE 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 PROVINCE, LES 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 OBLATS 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 DU 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) ON 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 SAINT-HYACINTHE, LES SOEURS DE L'ASSOMPTION DE LA SAINT 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 DE 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 HEARTS 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 ORDERS OF JESUS AND MARY and LES SOEURS DE JESUS-MARIE), THE SISTERS OF THE 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 and THE BAPTIST CHURCH IN CANADA

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**AFFIDAVIT OF JOHN BOSUM
(Settlement Approval)**

I, **JOHN BOSUM**, of the Town of Montreal, in the Province of Quebec, **MAKE OATH AND SAY:**

1. I am the representative plaintiff in the Quebec class action and bring this action on my own behalf and on behalf of all the Class Members.
2. I am a Cree and a Status Indian.
3. I went to residential school beginning in 1962 up to the end of the school year 1973. I attended at the La Tuque Indian residential school.
4. By virtue of my own experience at residential school and by reason or the information hereinafter described, I have knowledge of the matters deposed to below.
5. In May 2005, I retained Adams Gareau ("Class Counsel") to commence a class action against the Attorney General of Canada ("Canada") in order to address the losses suffered by class members in Quebec as a result of their attendance at residential schools.
6. Throughout this litigation, I have been actively involved as a representative plaintiff. Class Counsel has made efforts to keep me apprised of the progress of the litigation, and I have instructed Class Counsel throughout. I have also reviewed the Motion for authorization materials.
7. I had input with respect to the settlement objectives contained in the agreement between the plaintiffs and the defendants (the "Settlement"). If approved by the court, the Settlement will resolve all outstanding litigation between the parties.

8. I have discussed with the Class Counsel team to review and discuss the provisions of the proposed Settlement. I have also spoken with a number of class members regarding the Settlement.

The La Tuque Residential School

Sexual and Physical Abuse

9. While at the school I was severally sexually abused. I was sodomized by a staff member repeatedly.

10. I was physically abused on many occasions. I was regularly hit on parts of my body if members of the staff caught me speaking my native language or if someone thought I was breaking one of the many rules.

Loss of Language, Culture, Customs and Traditions

11. Aboriginal language, culture, customs and traditions are passed from generation to generation by parents or elders speaking with children about our customs and demonstrating to them our traditions and ceremonies.

12. Aboriginal languages, culture, customs and traditions define our Aboriginal identity and I verily believe they are vital to the well-being of all Aboriginal People, myself included.

13. In my case, I learned what I know of our language, culture, customs and traditions from my family and from my community.

14. During the time I was at residential school I was prevented from practicing and learning our language, culture, customs and traditions and I was taught to be ashamed of our language, culture, customs and traditions. I was also punished for even speaking Cree.

15. I have spoken with many residential school survivors and I do verily believe that the residential school system interfered with our right to sustain, enjoy, practice and transmit our families' and communities' languages, culture, customs and traditions.

After Residential Shcool

16. I have since had great difficulties in functioning in society and have been in therapy to deal with the psychological effects of the abuse I suffered while at residential school.

17. Since leaving residential school, I have had great difficulties in sustaining any employment for a prolonged period of time

I am prepared to act as representative plaintiff

18. I am prepared to act as representative plaintiff for the Quebec Class.

19. I will fairly and adequately represent the interests of the Quebec Class if the Court appoints me as representative plaintiff. I appreciate that my role is to protect the interests of the Quebec Class.

20. I believe that Canada has breached its duty to me and to the Quebec Class Members through its administration of the residential schools system and that, as a result, I, and the Quebec Class Members, are entitled to compensation.

21. I understand that the major steps in the class action can be summarized as follows:

- (a) the action was started by the issuance of the Motion for authorization of a Class action.
- (b) I am now asking the court to authorize the Class action;
- (c) if the court authorizes the Class action and approves the Settlement Agreement a notice will be sent to Quebec Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;

- (d) if the settlement is approved by the court, Quebec Class Members who do not opt out will receive the benefits set out in the settlement agreement;
- (e) in the event Quebec Class Members wish to make an additional claim, the settlement gives Quebec Class Members the opportunity to participate in further hearings if their involvement is necessary to prove or assess damages;
- (f) appeals of decisions may be taken at various stages of the settlement; and,
- (g) the court will supervise the execution and administration of the settlement.

22. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff for the Quebec Class, it is my responsibility, among other things, to be familiar with this Class action and the proposed Settlement Agreement, and to:

- (a) to attend with my counsel at the settlement approval hearing;
- (b) to receive briefings from and to instruct our counsel;
- (c) to seek the court's approval of agreements respecting fees and disbursements; and,
- (d) to communicate with Quebec Class Members throughout and through our counsel, as required.

23. To date, the following are some of the steps I have taken to fairly and adequately represent the Quebec Class Members:

- (a) I retained and instructed Class Counsel to commence this class proceeding;
- (b) negotiated and executed an agreement respecting Class Counsel's fees and disbursements;
- (c) discussed with our Class Counsel the nature of this class action, including the risks and costs of the action;
- (d) assisted, as necessary, in drafting the Motion for authorization of the Class action;
- (e) met with Class Counsel on various occasions;
- (f) instructed Class Counsel, as necessary.

Identifiable Class

24. I have reviewed the documentation. In my view the class definition for the Class shall consist of the Survivor Class, the Family Class and the Deceased Class.:

Survivor Class is defined as the following:

All persons who resided at an Indian Residential School in Canada at anytime prior to December 31, 1997, who are living, or who were living as of May 30, 2005, and who, as of the date hereof, or who, at the date of death resided in:

- (a) *Alberta, for the purposes of the Alberta Court of Queen's Bench;*
- (b) *British Columbia, for the purposes of the Supreme Court of British Columbia;*
- (c) *Manitoba, for the purposes of the Manitoba Court of Queen's Bench;*
- (d) *Northwest Territories, for the purposes of the Supreme Court of the Northwest Territories; and*
- (e) *Nunavut, for the purposes of the Nunavut Court of Justice;*
- (f) *Ontario, Prince Edward Island, Newfoundland, and Labrador, New Brunswick, Nova Scotia and any place outside of Canada, for the purposes of the Ontario Superior Court of Justice;*
- (g) *Quebec, for the purposes of the Quebec Superior Court;*
- (h) *Saskatchewan, for the purposes of the Saskatchewan Court of Queen's Bench;*
- (i) *Yukon, for the purposes of the Supreme Court of the Yukon Territory;*

But excepting Excluded Persons.

The Family Class is defined as the following:

All parents, siblings, spouses and children, including minors, the unborn and disabled individuals, of all persons who resided at an Indian Residential School in Canada at anytime prior to December 31, 1997, and who, as of the date hereof, are resident in:

- (a) *Alberta, for the purposes of the Alberta Court of Queen's Bench;*
- (b) *British Columbia, for the purposes of the Supreme Court of British Columbia;*

- (c) *Manitoba, for the purposes of the Manitoba Court of Queen's Bench;*
- (d) *Northwest Territories, for the purposes of the Supreme Court of the Northwest Territories; and*
- (e) *Nunavut, for the purposes of the Nunavut Court of Justice;*
- (f) *Ontario, Prince Edward Island, Newfoundland, and Labrador, New Brunswick, Nova Scotia and any place outside of Canada, for the purposes of the Ontario Superior Court of Justice;*
- (g) *Quebec, for the purposes of the Quebec Superior Court;*
- (h) *Saskatchewan, for the purposes of the Saskatchewan Court of Queen's Bench;*
- (i) *Yukon, for the purposes of the Supreme Court of the Yukon Territory;*

But excepting Excluded Persons.

The Deceased Class is defined as the following:

All persons who resided at an Indian Residential School in Canada at anytime prior to December 31, 1997, who died before May 30, 2005, and who were, at their date of death, residents of:

- (a) *Alberta, for the purposes of the Alberta Court of Queen's Bench;*
- (b) *British Columbia, for the purposes of the Supreme Court of British Columbia;*
- (c) *Manitoba, for the purposes of the Manitoba Court of Queen's Bench;*
- (d) *Northwest Territories, for the purposes of the Supreme Court of the Northwest Territories; and*
- (e) *Nunavut, for the purposes of the Nunavut Court of Justice;*
- (f) *Ontario, Prince Edward Island, Newfoundland, and Labrador, New Brunswick, Nova Scotia and any place outside of Canada, for the purposes of the Ontario Superior Court of Justice;*
- (g) *Quebec, for the purposes of the Quebec Superior Court;*
- (h) *Saskatchewan, for the purposes of the Saskatchewan Court of Queen's Bench;*
- (i) *Yukon, for the purposes of the Supreme Court of the Yukon Territory;*

But excepting Excluded Persons.

25. I believe that this definition is an objective definition and that Class Members, upon receiving or reading the Motion for authorization, will easily be able to determine whether or not they qualify as a Quebec Class Member.

Common Issues

26. The common issues are set out below:

- a) By their operation or management of Indian Residential Schools during the Class Period, did the Defendants breach a duty of care they owed to the Survivor Class and the Deceased Class to protect them from actionable physical or mental harm?
- b) By their purpose, operation or management of Indian Residential Schools during the Class Period, did the Defendants breach a fiduciary duty they owed to the Survivor Class and the Deceased Class or the aboriginal or treaty rights of the Survivor Class and the Deceased Class to protect them from actionable physical or mental harm?
- c) By their purpose, operation or management of Indian Residential Schools during the Class Period, did the Defendants breach a fiduciary duty they owed to the Family Class?
- d) If the answer to any of these common issues is yes, can the Court make an aggregate assessment of the damages suffered by all Class members of each class as part of the common trial?

27. I have reviewed the Common Issues and, while I do not have any legal expertise to permit me to evaluate the Common Issues, I accept that these Common Issues have been formulated by experienced Class Counsel. I understand and believe that the Common Issues listed are issues that would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these Common Issues will significantly advance this litigation.

No Conflict of Interest

28. I do not believe that I have any interest that is in conflict with the interest of any other Quebec Class Members.

29. I believe that I can fairly and adequately represent the interest of the Quebec Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The proposed settlement

30. I have reviewed the Settlement Agreement and discussed it with Class counsel. I believe it is fair, reasonable and in the best interests of Quebec Class Members.

31. If this action had not been settled, there would have been a contested Motion for authorization.

32. If there was a trial of the Common Issues on a contested basis, the litigation process to determine liability would have been protracted, and no Quebec Class Member would have been paid, if at all, until the litigation process ended.

33. Given the complexity of this case, and its importance, appeals from the decision at the Common Issues trial would have been inevitable. If the Settlement is not approved, it will be at least five years before these issues are finally determined and the Quebec Class Members provided with an opportunity to obtain compensation, if successful.

34. If the Settlement is approved, compensation will be immediately available for all Quebec Class Members.

35. I have reviewed the claims process in the proposed claims administration process and find it to be reasonable and fair, particularly in light of the fact that there are provisions

for the court to exercise continuing jurisdiction over the claims administration process to ensure that the administration and payment of claims is effective and fair.

36. My objectives in this litigation have been satisfied by this proposed settlement which combines effective court supervision of the claims administration process, and the provision of a full and complete measure of damages to class members.

37. I am satisfied that the Settlement is fair, reasonable and in the best interests of the class.

38. I will respectfully request that the Quebec Superior court approve the Settlement. The proposed settlement allows Class Members to obtain compensation fairly and efficiently.

39. I swear this affidavit in good faith and for no improper purpose.

SWORN BEFORE ME at the City of Val D'Or on July 25, 2006.

Nation

Annie Trapper
Commissioner for Taking Affidavits

John Bosum
JOHN BOSUM



02482

CANADA)
PROVINCE OF SASKATCHEWAN)

Q.B.G. No. 816 of 2005

IN THE COURT OF QUEEN'S BENCH
JUDICIAL CENTRE OF REGINA

BETWEEN:

KENNETH SPARVIER, DENNIS SMOKEYDAY, RHONDA BUFFOLO, JOHN
DOE I, JANE DOE I, JOHN DOE II, JANE DOE II, JOHN DOE III, JANE DOE III,
JOHN DOE IV, JANE DOE IV, JOHN DOE V, JANE DOE V, JOHN DOE VI,
JANE DOE VI, JOHN DOE VII, JANE DOE VII, JOHN DOE VIII, JANE DOE VIII,
JOHN DOE IX, JANE DOE IX, JOHN DOE X, JANE DOE X, JOHN DOE XI,
JANE DOE XI, JOHN DOE XII, JANE DOE XII, JOHN DOE XIII, JANE DOE XIII,
and other John and Jane Does Individuals and entities to be added

Plaintiffs

-and-

ATTORNEY GENERAL OF CANADA, and other James and Janet Does
Individuals and Entities to be added

Defendant

AFFIDAVIT OF BRENDA JOYCE CYR

I, BRENDA JOYCE CYR, hereby MAKE OATH AND SAY:

1. THAT I am one of the proposed representative plaintiffs in this action. I make this affidavit both on behalf of myself and all class members set forth in this Statement of Claim filed or as it may be or has been amended, from time to time.

2. THAT I am 45 years old and my date of birth is August 13, 1960. I reside in the City of Regina, in the Province of Saskatchewan and I have, since my birth, been a member of the Gordon's First Nation located near the town of Punnichy in the Province of Saskatchewan.

3. That, at present, I am single and unemployed although, while I presently care for my grandchildren, I hope in the near future to attend University at the University of Regina to further my education which has been a long-term dream of mine to fulfill.

4. That I attended Indian Residential School as a full-time student as follows:

- (a) Lebret Indian Residential School from approximately September 1966 to the spring of 1969 as a residential school attendee;
- (b) Muscowequan Indian Residential School from approximately September 1969 to the spring of 1975 as a residential school attendee;

Both schools were operated by the Oblates de Marie Immaculee du Manitoba under the authority and direction of the Government of Canada.

My Present Situation

5. That I have six brothers and sisters, five of whom also attended Indian Residential Schools in the Province of Saskatchewan. Most of them suffered abuse from the hands of the people, either administration or teachers and supervisors of their schools. Most of them, over their lifetimes, have suffered from serious addiction problems from either alcohol and/or drugs which exist at present.

6. That I, myself, after attending residential school, developed an alcohol and drug addiction which destroyed my opportunity to hold any gainful employment and to provide the proper love and care for my own children which I trace back to my experiences at residential school.

7. That my health is uncertain as I contracted Hepatitis "C" likely from the use of intravenous drugs, such as Talwin and Ritalin. At present, I do not consume alcohol at all but I am still at risk from relapses into drug use, although not on a continuing basis but sporadically.

8. That only one child of mine has been at residential schools. Two of my children have done quite well but two of my children have ongoing problems with drugs and alcohol. One of my children is serving time at the Regina Correctional Centre for assault.

9. My daughter, Deanna, has had problems and, in order to assist her, I have full-time custody of three of her children, at present, although she is making progress and I would like her to resume the care of her children when she is able to do so.

10. Over the course of my life after residential school, I have, amongst others, suffered from the following problems:

- (a) alcohol and drug dependencies;
- (b) emotional and psychological problems that have resulted in attempts of suicide (5 x) and times of which were life threatening;
- (c) inability to trust people and an ongoing problem in showing affection and no self esteem; and
- (d) severe feelings of shame and guilt over events, both physical and sexual, from what occurred at residential school.

11. That the seminal events that happened to me to let me make a change in my life occurred in December 1999 with the birth of my grandson and also considerable help from the New Dawn Treatment Centre in Regina, Saskatchewan.

12. That I view myself as a "work in progress" but I have been able to remove myself from the street life in Regina in large part due to the love that I have for my grandchildren. I want to help them live productive lives, which I have failed to do in my own life.

Abuse at Residential School

13. That I am familiar with the abuse, generally, set forth in the pleadings filed herein and my own action filed in this Honourable Court for compensation.

14. I first attended residential school at approximately 5 years of age. I continually attended residential school until 1975.

15. It is difficult for me to express the feelings of fear and isolation felt by me all my life by my attendance at these two schools. The abuse and damage that I received consisted of the following items, *inter alia*:

- (a) poor food and accommodation;
- (b) physical abuse by way of hair pulling, slaps and strappings;
- (c) sexual abuse at Muscowequan IRS. Father Joyal was the perpetrator. He made me commit acts of fellatio against my will upon him and fondled me;
- (d) loss of my family and parents;
- (e) psychological damage from the abuse done to me;
- (f) witnessing serious abuse done to other students that resulted in me living at school in terror that I would be next in line for it. That fear was as real as the abuse that I directly suffered;
- (g) I speak no Saulteaux, my native tongue, and I have lost much of my culture as the practice of my language and culture was forbidden at school. The sole mission, in my view, of the schools

was to drive the "Indian" out of me and my classmates and to cut us off from our families. In large part, that objective was met; and

- (h) I have been married twice and failed to be able to handle either relationship well nor the sexual aspect of both of them in a meaningful and loving manner.

I am Prepared to Act as Representative Plaintiff of the Class

My Obligations as Representative Plaintiff:

16. I am prepared to act as representative plaintiff of the Survivor Class in this proceeding. I will fairly and adequately represent the interests of the Class should this Court appoint me to as representative plaintiff. I appreciate that my role is to protect the interests of the Class.

17. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Survivor Class is entitled to compensation.

18. I understand that the major steps in a class action typically include: the issuance of the statement of claim (and amendments to it if required), and the provision of a defence; a motion for certification (including the exchange of supporting affidavits and cross-examinations as necessary); and, assuming the action is certified as a class proceeding, discoveries, a trial as required, and potentially appeals.

19. In this case, the parties have reached a settlement which they ask the Court to approve. I am now asking the Court to certify the action as a class proceeding by this motion for certification, and approve the settlement. I understand that if the Court certifies the action as a class proceeding, the certificate notice will be sent to Class Members who will be given the opportunity

to opt out of the class action if they wish within a fixed period. The Class Members will also be given full particulars of the settlement, if approved.

20. Class Members will have the right to object to the proposed settlement, and if approved, opt out. Those members who do not opt out will receive the benefits of the settlement agreement.

21. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments, to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval, to attend, if necessary, with Class Counsel for cross-examination on my affidavit, to attend, if necessary, with Class Counsel at the settlement approval hearing and give evidence regarding the case, to receive briefings from and to instruct Class Counsel, to seek the court's approval of agreements respecting Class Counsel's fees and disbursements and to communicate with Class Members as required.

I have Taken Steps to Carry out my Obligations as Representative Plaintiff:

22. To date, I have taken steps to fairly and adequately represent the Survivor Class Members, including instructing counsel to amend and continue the class proceeding, addressing legal fees with counsel, discussing with counsel the nature of these class actions, including the risks and costs of same, assisting in the amendment of the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.

23. I have reviewed the Claim. I agree with the proposed definitions of the Classes and believe that they will allow individuals to determine whether they qualify as Class Members.

24. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of the common issues would significantly advance this litigation.

25. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many aboriginal persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their experiences at residential schools, and suffer from poverty and often from substance abuse. I believe that thousands of survivors and their families would not be able to advance their legal rights without this class action.

26. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interests of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

27. The proposed settlement was reached through a long process of negotiation. The Honourable Frank Iacobucci, Q.C. was appointed in May 2005 as the Federal Representative responsible for convening and superintending multi-party settlement negotiations. Those negotiations were held in various cities across Canada over the summer and fall of 2005, with various stakeholders attending, including legal counsel as well as aboriginal representatives from the Assembly of First Nations, among others.

28. An agreement in principal was reached with that group on November 20, 2005, and a final settlement agreement was reached on May 10, 2006. That settlement agreement was subsequently approved by the Federal Cabinet, and now is put forward for approval by the various courts.

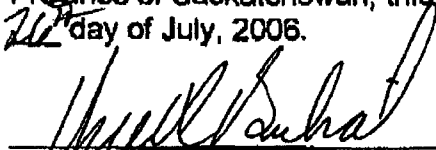
29. I have reviewed the settlement agreement approved by the Federal Cabinet, and I have discussed it with Class Counsel. I believe that this settlement package is beneficial to the Survivor Class Members. It includes fair compensation for the Survivor Class. This includes monetary compensation based on length of attendance at residential school, through the common experience payment. It also provides an accessible method by which survivors can seek additional compensation for serious physical and/or sexual abuse. I have reviewed these aspects of the settlement and I believe that they fairly and adequately meet the needs of members of the survivor class.

30. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards healing programs through the Aboriginal Healing Foundation.


31. I am satisfied with the settlement, and believe that it meets the needs of the Survivor Class Members. I also believe that it is important for the settlement to be approved. Absent a settlement, I fear that litigation could be protracted, and more and more members of my community would die without seeing a resolution to this legacy. The claims process promises an efficient delivery of compensation, which is important to me and my community.

32. I swear this affidavit in good faith and for no improper purpose.

SWORN BEFORE ME at the
City of Regina, in the
Province of Saskatchewan, this
27th day of July, 2006.


A NOTARY PUBLIC in and for the
Province of Saskatchewan

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Brenda Joyce Cyr
Representative Plaintiff

02491

M. Dawson #2
July 24, 2006

IN THE SUPREME COURT OF THE YUKON TERRITORY

S.C. No. 05-A0140

BETWEEN:

M.D., L.J., B.M.

PLAINTIFFS

AND

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA as represented by
THE ATTORNEY GENERAL OF CANADA, YUKON TERRITORIAL
GOVERNMENT
THE SYNOD OF THE DIOCESE OF THE YUKON,
THE GENERAL SYNOD OF THE ANGLICAN CHURCH OF CANADA,
THE CATHOLIC EPISCOPAL CORPORATION OF WHITEHORSE, THE
OBLATES OF MARY IMMACULATE as represented by THE ORDER OF
THE OBLATES OF MARY IMMACULATE IN THE PROVINCE OF
BRITISH COLUMBIA,
THE ORDER OF THE OBLATES OF MARY IMMACULATE IN THE
PROVINCE OF BRITISH COLUMBIA,
SISTERS OF SAINT ANN,
THE ROMAN CATHOLIC DIOCESE OF WHITEHORSE,
THE BISHOP OF THE ROMAN CATHOLIC DIOCESE OF WHITEHORSE
as the representative of THE ROMAN CATHOLIC CHURCH, and
THE BAPTIST UNION OF CANADA, THE BAPTIST UNION OF WESTERN
CANADA, WHITEHORSE BAPTIST CHURCH, WHITEHORSE BAPTIST
MISSION SCHOOL aka WHITEHORSE INDIAN SCHOOL**

DEFENDANTS

AFFIDAVIT

I, MALCOLM DAWSON, of the City of Whitehorse, in the Yukon Territory, MAKE OATH and say:

1. I am the representative Plaintiff M.D. in the within action and as such have personal knowledge of the matters herein deposed to except where stated to be based upon information and belief, in which case I do verily believe the same to be true.

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PERSONAL BACKGROUND

2. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all former students who attended an Indian Residential School located in the Yukon Territory from January 1920 - December 1985 (the "Class Members"), as described and defined in the Statement of Claim (the "Claim").
3. I was born on January 1, 1942. I am a member of the Kwanlin Dün First Nation, in the Yukon Territory. I reside in the Yukon Territory.
4. I attended at the Whitehorse Baptist Mission School, ("Residential School") from in or about 1946 to 1955.
5. I meet the definition of a Class Member as set out in this Affidavit and the Claim.

OVERVIEW OF MY POSITION

6. As will be detailed below, I am one of the people who suffered directly from Canada's residential schools policy, as a person who actually attended Residential School. I know first hand the damage this has done to me personally, and to the aboriginal community more generally. While the residential schools legacy, also known to me as a tragedy, has been recognized as a social problem, a political problem and an aboriginal problem (among others), it is my personal problem and my lived experience. I therefore think that it is important for me and other survivors to speak up and be heard: after a lifetime of shame, guilt, anger and fear, it is time to focus on reconciliation and rebuilding our communities. This settlement allows our community to move on, and I wholeheartedly endorse it.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

7. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from

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speaking my native language, being repeatedly physically abused, being slapped, strapped and hit, being insulted and humiliated by persons in authority as a result of my native origin, and being given inadequate health care, and education. Some of my fellow students were given inadequate food as well.

8. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

My Obligations as Representative Plaintiff:

9. I am prepared to act as representative plaintiff of the survivors of Yukon Indian Residential Schools ("Survivor Class") in this proceeding. I will fairly and adequately represent the interests of the Survivor Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Survivor Class.
10. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Survivor Class is entitled to compensation.
11. I understand that the major steps in a class action typically include: the issuance of the statement of claim (and amendments to it if required), and the provision of a defence; a motion for certification (including the exchange of supporting affidavits and cross examinations as necessary); and, assuming the action is certified as a class proceeding, discoveries, a trial as required, and potentially appeals.
12. In this case, the parties have reached a settlement which they ask the court to approve. I am now asking the Court to certify the action as a class proceeding by this motion for certification, and approve the settlement. I understand that if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish, within a fixed

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period. The Class Members will also be given full particulars of the settlement, if approved.

13. Class Members will have the right to object to the proposed settlement, and if approved, opt out. Those Class Members who do not opt out will receive the benefits of the settlement agreement.
14. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments, to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval, to attend, if necessary, with my counsel for cross examination on my affidavit, to attend, if necessary, with counsel at the settlement approval hearing and give evidence regarding the case, to receive briefings from and to instruct counsel, to seek the court's approval of agreements respecting counsel's fees and disbursements and to communicate with Class Members as required.

I have Taken Steps to Carry out my Obligations as Representative Plaintiff:

15. To date, I have taken steps to fairly and adequately represent the Survivor Class Members, including instructing counsel to amend and continue a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of these class actions, including the risks and costs of same, assisting in amending the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.
16. I have reviewed the Claim. I agree with the proposed definitions of the Classes and believe that they will allow individuals to determine whether they qualify as Class Members.
17. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of the common issues would significantly advance this litigation.

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18. I believe that this particular class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many aboriginal persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their experiences at residential schools, and suffer from poverty and often from substance abuse. I believe that thousands of survivors and their families would not be able to advance their legal rights without this class action.
19. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interests of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

THE PROPOSED SETTLEMENT

20. The proposed settlement was reached through a long process of negotiation. The Honourable Frank Iacobucci, Q.C. was appointed in May 2005 as the Federal Representative responsible for convening and superintending multi-party settlement negotiations. Those negotiations were held in various cities across Canada over the summer and fall of 2005, with various stakeholders attending, including legal counsel as well as aboriginal representatives from the Assembly of First Nations, among others.
21. An agreement in principle was reached with that group on November 20, 2005, and a final settlement agreement was reached on May 10, 2006. That settlement agreement was subsequently approved by the Federal Cabinet, and now is put forward for approval by the various courts.
22. I have reviewed the settlement agreement approved by the Federal Cabinet, and I have discussed it with my counsel. I believe that this settlement package is beneficial to the Survivor Class Members. It includes fair compensation for the Survivor Class. This includes monetary compensation based on length of attendance at residential school, through the common experience payment. It also provides an accessible method by

which survivors can seek additional compensation for serious physical and/or sexual abuse. I have reviewed these aspects of the settlement and I believe that they fairly and adequately meet the needs of members of the survivor class.

- 23. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards healing programs through the Aboriginal Healing Foundation.
- 24. I am satisfied with the settlement, and believe that it meets the needs of the Survivor Class members. I also believe that it is important for the settlement to be approved. Absent a settlement, I fear that litigation could be protracted, and more and more members of my community would die without seeing a resolution to this legacy. The claims process promises an efficient delivery of compensation, which is important to me and my community.
- 25. I swear this affidavit in good faith and for no improper purpose.

SWORN BEFORE ME at the City of)
 Whitehorse, in the Yukon Territory,)
 this 24 day of July, 2006.)
 _____)
 A Notary Public in and for the)
 Yukon Territory)


 MALCOLM DAWSON

URA I. CABOTT
OTT & CABOTT
 BARRISTERS
 101, 2131 - 2nd Avenue
 Whitehorse, YT Y1A 1C3
 (867) 456-3100

IN THE SUPREME COURT OF THE YUKON TERRITORY

S.C. No. 05-A0140

BETWEEN:

M.D., L.J., B.M.

PLAINTIFFS

AND

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA as represented by
THE ATTORNEY GENERAL OF CANADA, YUKON TERRITORIAL
GOVERNMENT
THE SYNOD OF THE DIOCESE OF THE YUKON,
THE GENERAL SYNOD OF THE ANGLICAN CHURCH OF CANADA,
THE CATHOLIC EPISCOPAL CORPORATION OF WHITEHORSE, THE
OBLATES OF MARY IMMACULATE as represented by THE ORDER OF
THE OBLATES OF MARY IMMACULATE IN THE PROVINCE OF
BRITISH COLUMBIA,
THE ORDER OF THE OBLATES OF MARY IMMACULATE IN THE
PROVINCE OF BRITISH COLUMBIA,
SISTERS OF SAINT ANN,
THE ROMAN CATHOLIC DIOCESE OF WHITEHORSE,
THE BISHOP OF THE ROMAN CATHOLIC DIOCESE OF WHITEHORSE
as the representative of THE ROMAN CATHOLIC CHURCH, and
THE BAPTIST UNION OF CANADA, THE BAPTIST UNION OF WESTERN
CANADA, WHITEHORSE BAPTIST CHURCH, WHITEHORSE BAPTIST
MISSION SCHOOL aka WHITEHORSE INDIAN SCHOOL**

DEFENDANTS

AFFIDAVIT

**Laura I. Cabott
Cabott & Cabott
Barristers
#101, 2131 - 2nd Avenue
Whitehorse, YT Y1A 1C3
Tel.: (867) 456-3100
Fax: (867) 456-7093**

File No. CI -05-01-43585

COURT OF QUEEN S BENCH**WINNIPEG CENTRE****BETWEEN:**

CHRISTINE SEMPLE, JANE MCCALLUM, STANLEY THOMAS NEPETAYPO, PEGGY GOOD, ADRIAN YELLOWKNEE, KENNETH SPARVIER, DENIS SOMKEYDAY, RHONDA BUFFALO, MARIA GAGNON, SIMON SCIPIO, AS PRESENTETATIVES AND CLAIMANTS ON BEHALF OF THE THEMSELVES AND ALL OTHER INDIVIDUALS WHO ATTENDED RESIDENTIAL SCHOOLS IN CANADA, INCLUDING BUT NOT LIMITED TO ALL RESIDENTIAL SCHOOLS' CLIENTS OF THE PROPOSED CLASS COUNSEL, MERCHANT LAW GROUP AS LISTED IN PART SCHEDULE 1 TO THIS CLAIM, AND THE JOHN AND JANE DOES NAMED HEREIN, AND SUCH FURTHER JOHN AND JANE DOES AND OTHER INDIVIDUALS BELONGING TO THE PROPOSED CLASS, INCLUDING JOHN DOE I, JANE DOE I, JOHN DOE II, JANE DOE II, JOHN DOE III, JANE DOE 111, JOHN DOE IV, JANE DOE IV, JOHN DOE V, JANE DOE V, JOHN DOE VI, JANE DOE V1, JOHN DOE VII, JANE DOE VII, JOHN DOE, VIII, JANE DOE V111, JOHN IX, JANE DOE IX, JOHN DOE X, JANE DOE X, JOHN DOE XI, JANE DOE XI, JOHN DOE XII, JANE DOE XII, JOHN DOE XIII, JANE DOE XIII, BEING A JANE AND JOHN DOE FOR EACH CANADIAN PROVINCE AND TERRITORY, AND OTHER JOHN AND JANE DOES, INDIVIDUAL, ESTATES, NEXT-OF-KIN AND ENTITIES TO BE ADDED,

PLAINTIFF

AND

ATTORNEY GENERAL OF CANADA

DEFENDANT

**AFFIDAVIT OF VINCENT BRADLEY FONTAINE
(SWORN ON JULY , 2006)**

I, Vincent Bradley Fontaine, of the Sagkeeng Reserve, in the Province of Manitoba,
MAKE OATH AND STATE THAT:

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the proposed Amended Statement of Claim (the "Claim").
2. I was born on October 11, 1960. I am a member of the Sagkeeng First Nation, in the province of Manitoba. I reside in the province of Manitoba.
3. My father attended at the Fort Alexander Indian Residential School ("Residential School") in 1936 from 1936 to 1944.
4. I meet the definition of a Family Class Member as set out in the Claim.

OVERVIEW OF MY POSITION

5. The damage done by Canada's residential schools policy has been devastating to the aboriginal community. While the Survivor Class has borne the brunt of that pain, through the direct experiences at Residential School, that legacy has been passed on to children and grandchildren of Survivors and to the wider aboriginal community.
6. As a Family Class Member, I have felt the effects of the pain and humiliation suffered by my father in many ways. The multi-generational impacts of the residential schools policy are undeniable.
7. I believe it is important for all members of the Class, including the Family Class and the entire aboriginal community, to seek some form of closure on this tragic part of our history. It is time for the individuals who have suffered to seek reconciliation and attempt to rebuild themselves and their communities. It is time to focus on the positive, and I believe that this settlement is an essential part of that process. I therefore fully support the proposed settlement.

MY EXPERIENCE AS A FAMILY MEMBER OF A RESIDENTIAL SCHOOL SURVIVOR

8. As a family member of a Residential School survivor, I have seen and experienced the ongoing effects of the Residential School experience. I believe that my father was abused at Residential School, and deprived of adequate food, health care, and education. Additionally, my father was prohibited from speaking our aboriginal language and practicing our aboriginal customs.

10. I believe the Residential School experience affected my father in that he felt degraded and humiliated. I believe that the Residential School experience affected my father's ability to relate to other people, and in particular, negatively affected my relationship with him.

11. As a result of his Residential School experience my father found it difficult to express affection towards me, both verbally and physically. I believe our relationship was harmed because of the abuse my father experienced while attending Residential School.

13. The experiences of my father at Residential School are tragic, and it saddens me to even think of them. It is simply impossible to imagine that such devastating treatment would not have irreversibly damaged my father for life, and thus contributed to a multi-generational loss to the aboriginal community.

14. Accordingly, I believe that both my father and I suffered harm as a result of the Residential School experience.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

15. I am prepared to act as representative plaintiff of the Class, and in particular the Family Class in this proceeding. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.

16. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to some form compensation or redress.

17. I understand that the major steps in a class action typically include: the issuance of the statement of claim (and amendments to it if required), and the provision of a defence; a motion for certification (including the exchange of supporting affidavits and cross examinations as necessary); and, assuming the action is certified as a class proceeding, discoveries, a trial as required, and potentially appeals.

18. In this case, the parties have reached a settlement which they ask the Court to approve. I am now asking the Court to certify the action as a class proceeding by this motion for certification, and approve the settlement. I understand that if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period. The Class Members will also be given full particulars of the settlement, if approved.

19. Class Members will have the right to object to the proposed settlement, and if approved those members who do not opt out will receive the benefits of the settlement agreement.

20. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments, to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval, to attend, if necessary, with Class Counsel for cross examination on my affidavit, to attend, if necessary, with Class Counsel at the settlement approval hearing and give evidence regarding the case, to receive briefings from and to instruct Class Counsel, to seek the court's approval of agreements respecting Class Counsel's fees and disbursements and to communicate with Class Members as required.

I have Taken Steps to Carry out my Obligations as Representative Plaintiff:

21. To date, I have taken steps to fairly and adequately represent the Class Members, including instructing counsel to amend and continue the prosecution of a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of the class actions, including the risks and costs of same, assisting in the amendment of the Claim, obtaining

documents and other information at the request of counsel reviewing the litigation plan, meeting with counsel as required, and instructing counsel as necessary.

22. I have reviewed the Claim. I agree with the proposed definitions of the Classes and believe that they will allow individuals to determine whether they qualify as a Class member.

23. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of the common issues would significantly advance this litigation.

24. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many aboriginal persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their family members' Residential School experiences, and many suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without these class actions.

25. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interests of the Class and in particular, the Family Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

THE PROPOSED SETTLEMENT

26. The proposed settlement was reached through a long process of negotiation. The Honourable Frank Iacobucci, Q.C. was appointed in May 2005 as the Federal Representative responsible for convening and superintending multi-party settlement negotiations. Those negotiations were held in various cities across Canada over the summer and fall of 2005, with various stakeholders attending, including legal counsel as well as aboriginal representatives from the Assembly of First Nations, among others.

27. An agreement in principle was reached with that group on November 20, 2005, and a final settlement agreement was reached on May 10, 2006. That settlement agreement was subsequently approved by the federal cabinet, and now is put forward for approval by the various courts.

28. I have reviewed the settlement agreement approved by the Federal Cabinet, and I have discussed it with Class Counsel. I believe that this settlement package is beneficial to the Family Class Members.

29. The components of the settlement agreement which are beneficial to the Family Class members include the following:

- (a) There is a payment of \$125,000,000 to the Aboriginal Healing Foundation. That Foundation is focused exclusively on addressing the healing needs of aboriginal people affected by the residential schools legacy, including the intergenerational impacts. The Foundation will use the funds to pay for community based healing programs designed with a holistic approach. The Foundation's mandate is to fund projects which help communities knit together social, health and other programs into an accessible format to help address the many ways in which individuals have suffered as a result of the residential schools legacy (ie. substance abuse problems, ill health effects, social, behavioral and emotional problems, educational needs, difficulties obtaining employment, etc.)

The Foundation is national in scope and accepts applications from aboriginal individuals, groups and organizations throughout Canada. It has a specific mandate to address the intergenerational impact of the residential schools legacy and the funds being provided under the settlement provide a direct and accessible benefit to the Family Class members;

- (b) An additional \$20,000,000 has been allocated to fund community based commemoration projects to acknowledge and remember how the residential schools policy has affected the Class. The purpose of commemoration is to

honour and validate the healing and reconciliation of the Class through the creation of memorial structures, ceremonies and other projects;

- (c) A Truth and Reconciliation Commission is established through funding of \$60,000,000, to provide an open, safe and holistic environment for the Class and the community to come forward with their experiences, with a view to raising public awareness, facilitating healing and rebuilding in the communities and providing a record for future generations. Both the commemoration projects and the truth and reconciliation initiatives are the foundation of the settlement package which are designed to ensure that the stories of Family Class Members can be told and remembered in future generations;
- (d) A provision is made for surplus Common Experience Payment funds to be further disseminated to the Survivor Class by way of personal credits of up to \$3000, which are transferable to Family Class Members. If a surplus of more than \$40 million remains from the \$1.9 billion set aside for the Common Experience Payments to the Survivor Class, those further credits will be provided. Those personal credits, many of which will likely be designated for use by Family Class Members, can be used for educational services provided by approved educational entities. It is my belief that given the educational nature of the personal credits, there is a strong likelihood that many members of the Survivor Class will pass on those credits to members of the Family Class, if a surplus exists. Surplus funds not disseminated in this way will go to the Assembly of First Nations and Inuit organizations for educational initiatives as well; and
- (e) In addition to the foregoing, the various church entities that are parties to the Settlement Agreement will provide up to \$102.8 million, through cash and in-kind services to develop new programmes designed to assist with healing and reconciliation for the Family Class members and their communities.

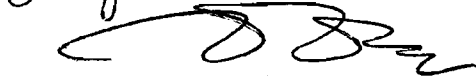
30. The residential schools legacy has affected the Family Class and the entire aboriginal community. The members of the Family Class face a lifetime of trying to adjust and adapt, and to reconcile the history of aboriginal mistreatment by Canada with a desire to build a proud and

strong aboriginal community. I therefore believe that the wider support which is offered by this settlement is essential.

31. As a Family Class member, I believe that the significant monetary commitment made to the aboriginal community as part of this settlement agreement will help in healing the breach between Canada and its First Nations, and help all First Nations people to move beyond the tragic legacy of residential schools.

32. I am satisfied with the settlement, and believe that it meets the needs of the Class members. I also believe that it is important for the settlement to be approved. Absent a settlement, I fear that litigation could be protracted, and more and more members of my community would die without seeing a resolution to this legacy.

SWORN BEFORE ME at the City of WINNIPEG)
in the Province of MANITOBA , this 14 day of)
July , 2006.)


A NOTARY PUBLIC in and for the)
Province of Manitoba)


Vincent Bradley Fontaine

CAROLINE B. CRAMER Q.C.
NOTARY PUBLIC IN & FOR MANITOBA
998 SARGENT, WINNIPEG, MB. CDA.
(204) 953-0200 NO EXPIRY

Sworn by Elizabeth Kusiak
on the 15th day of July, 2006

Action No. 9901 15362

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

**IN THE MATTER OF CERTAIN CLAIMS ARISING
AT INDIAN RESIDENTIAL SCHOOLS**

**AND IN THE MATTER OF CASE MANAGEMENT
OF INDIAN RESIDENTIAL SCHOOL CLAIMS**

Action No. 0501 09167

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

BETWEEN:

FLORA NORTHWEST, ADRIAN YELLOWKNEE, MICHAEL CARPAN, KENNETH SPARVIER, DENNIS SMOKEYDAY, RHONDA BUFFALO, MARIE GAGNON, SIMON SCIPIO, as representatives and claimants on behalf of themselves and all other individuals who attended Residential Schools in Canada, including but not limited to all Residential Schools' clients of the proposed Class Counsel, Merchant Law Group, as listed in part in Schedule 1 to this Claim, and the John and Jane Does named herein, and such further John and Jane Does and other individuals belonging to the proposed class, including JOHN DOE I, JANE DOE I, JOHN DOE II, JANE DOE II, JOHN DOE III, JANE DOE III, JOHN DOE IV, JANE DOE IV, JOHN DOE V, JANE DOE V, JOHN DOE VI, JANE DOE VI, JOHN DOE VII, JANE DOE VII, JOHN DOE VIII, JANE DOE VIII, JOHN DOE IX, JANE DOE IX, JOHN DOE X, JANE DOE X, JOHN DOE XI, JANE DOE XI, JOHN DOE XII, JANE DOE XII, JOHN DOE XIII, JANE DOE XIII, being a Jane and John Doe for each Canadian province and territory, and other John and Jane Does Individuals, Estates, Next-of-Kin and Entities to be added

Plaintiffs

- and -

ATTORNEY GENERAL OF CANADA

Defendant

Proceedings under the *Class Proceedings Act*

AFFIDAVIT OF ELIZABETH KUSIAK

I, ELIZABETH KUSIAK, of Edmonton, Alberta, MAKE OATH AND SAY THAT:

1. I am one of the proposed representative Plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class members, as described and defined in the proposed Amended Statement of Claim (the "Claim").

2. I was born Elizabeth McDonald on October 10, 1941 at Fort Chipewyan, Alberta. I am Cree, a status Indian subject to Treaty 8, and a member of the Athabasca Chipewyan First Nation.

3. I was confined to, and attended at, the Holy Angels Residential School ("Residential School") for eight years, from 1950 to 1958.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

4. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family and community, being actively discouraged from speaking my native language, being physically abused, and being given inadequate food, health care, and education.

5. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self-esteem and self-worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

6. I am prepared to act as representative plaintiff of the Class in this proceeding.

7. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.

8. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.

9. I understand that the major steps in the class action can be summarized as follows:

- (a) the action was started by issuing a Statement of Claim, and has subsequently been amended;
- (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
- (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt-out of the class action if they wish within a fixed period;
- (d) at the same time, the Court will be asked to approve the proposed settlement;
- (e) Class Members will have the right to object to the proposed settlement;
- (f) if the proposed settlement is approved by the Court, Class Members who do not opt-out will receive the benefits set out in the settlement agreement;
- (g) in the event a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
- (h) appeals of decisions may be taken at various stages of the proceedings; and

- (i) the Court will supervise the execution and administration of the settlement.

10. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross-examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.

11. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of this class action, including the risks and costs of same, assisting in preparing the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.

IDENTIFIABLE CLASS

12. I have reviewed the Claim. I agree with the proposed definition of the Survivor Class and believe that it will allow individuals to determine whether they qualify as a Survivor Class Member.

COMMON ISSUES

13. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action, and that a resolution of these common issues will significantly advance this litigation.

PREFERABLE PROCEDURE

14. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

NO CONFLICT OF INTEREST

15. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

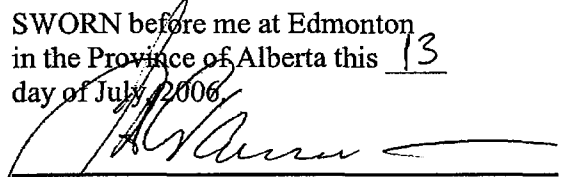
THE PROPOSED SETTLEMENT

16. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.

17. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

18. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

19. I make this Affidavit in support of an application for certification of the within action as a class proceeding for the purpose of implementing the settlement described above.

SWORN before me at Edmonton
in the Province of Alberta this 13
day of July, 2006

A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA


ELIZABETH KUSIAK

DEREK A. CRANNA
Barrister & Solicitor

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

Sworn by Elizabeth Kusiak
on the 13th day of July, 2006

Action No. 9901 15362

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

**IN THE MATTER OF CERTAIN CLAIMS ARISING
AT INDIAN RESIDENTIAL SCHOOLS**

**AND IN THE MATTER OF CASE MANAGEMENT
OF INDIAN RESIDENTIAL SCHOOL CLAIMS**

Action No. 0501 09167

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

BETWEEN:

FLORA NORTHWEST, ADRIAN YELLOWKNEE, MICHAEL CARPAN, KENNETH SPARVIER, DENNIS SMOKEYDAY, RHONDA BUFFALO, MARIE GAGNON, SIMON SCIPIO, as representatives and claimants on behalf of themselves and all other individuals who attended Residential Schools in Canada, including but not limited to all Residential Schools' clients of the proposed Class Counsel, Merchant Law Group, as listed in part in Schedule 1 to this Claim, and the John and Jane Does named herein, and such further John and Jane Does and other individuals belonging to the proposed class, including JOHN DOE I, JANE DOE I, JOHN DOE II, JANE DOE II, JOHN DOE III, JANE DOE III, JOHN DOE IV, JANE DOE IV, JOHN DOE V, JANE DOE V, JOHN DOE VI, JANE DOE VI, JOHN DOE VII, JANE DOE VII, JOHN DOE VIII, JANE DOE VIII, JOHN DOE IX, JANE DOE IX, JOHN DOE X, JANE DOE X, JOHN DOE XI, JANE DOE XI, JOHN DOE XII, JANE DOE XII, JOHN DOE XIII, JANE DOE XIII, being a Jane and John Doe for each Canadian province and territory, and other John and Jane Does Individuals, Estates, Next-of-Kin and Entities to be added

Plaintiffs

- and -

ATTORNEY GENERAL OF CANADA

Defendant

Proceedings under the Class Proceedings Act

AFFIDAVIT OF ELIZABETH KUSIAK

**FIELD LLP
Barristers & Solicitors
2000 Oxford Tower
10235 - 101 Street
Edmonton, Alberta
T5J 3G1
Tel: (780) 423-3003
Fax: (780) 428-9329
File No. 846-2**

JON FAULDS, Q.C./DAN CARROLL

Sworn by Theresa Ann Larocque
on the 15th day of July, 2006

Action No. 9901 15362

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

**IN THE MATTER OF CERTAIN CLAIMS ARISING
AT INDIAN RESIDENTIAL SCHOOLS**

**AND IN THE MATTER OF CASE MANAGEMENT
OF INDIAN RESIDENTIAL SCHOOL CLAIMS**

Action No. 0501 09167

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

BETWEEN:

FLORA NORTHWEST, ADRIAN YELLOWKNEE, MICHAEL CARPAN, KENNETH SPARVIER, DENNIS SMOKEYDAY, RHONDA BUFFALO, MARIE GAGNON, SIMON SCIPIO, as representatives and claimants on behalf of themselves and all other individuals who attended Residential Schools in Canada, including but not limited to all Residential Schools' clients of the proposed Class Counsel, Merchant Law Group, as listed in part in Schedule 1 to this Claim, and the John and Jane Does named herein, and such further John and Jane Does and other individuals belonging to the proposed class, including JOHN DOE I, JANE DOE I, JOHN DOE II, JANE DOE II, JOHN DOE III, JANE DOE III, JOHN DOE IV, JANE DOE IV, JOHN DOE V, JANE DOE V, JOHN DOE VI, JANE DOE VI, JOHN DOE VII, JANE DOE VII, JOHN DOE VIII, JANE DOE VIII, JOHN DOE IX, JANE DOE IX, JOHN DOE X, JANE DOE X, JOHN DOE XI, JANE DOE XI, JOHN DOE XII, JANE DOE XII, JOHN DOE XIII, JANE DOE XIII, being a Jane and John Doe for each Canadian province and territory, and other John and Jane Does Individuals, Estates, Next-of-Kin and Entities to be added

Plaintiffs

- and -

ATTORNEY GENERAL OF CANADA

Defendant

Proceedings under the Class Proceedings Act

AFFIDAVIT OF THERESA ANN LAROCQUE

I, THERESA ANN LAROCQUE (nee NENIMAHOO), of Edmonton, Alberta, MAKE OATH AND SAY THAT:

1. I am one of the proposed representative Plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class members, as described and defined in the proposed Amended Statement of Claim (the "Claim").

2. I was born Theresa Ann Nenimahoo on December 19, 1953 at St. Martin's Mission in Desmarais, near Wabasca, Alberta. I am Cree, a status Indian subject to Treaty 8, and a member of the Bigstone Cree Band.

3. I was confined to, and attended at, the St. Martin's Residential School ("Residential School") for ten years, from 1959 to 1969.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

4. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family and community, being actively discouraged from speaking my native language, being physically and sexually abused, and being given inadequate food, health care, and education.

5. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self-esteem and self-worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

6. I am prepared to act as representative plaintiff of the Class in this proceeding.

7. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.

8. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.

9. I understand that the major steps in the class action can be summarized as follows:

- (a) the action was started by issuing a Statement of Claim, and has subsequently been amended;
- (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
- (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt-out of the class action if they wish within a fixed period;
- (d) at the same time, the Court will be asked to approve the proposed settlement;
- (e) Class Members will have the right to object to the proposed settlement;
- (f) if the proposed settlement is approved by the Court, Class Members who do not opt-out will receive the benefits set out in the settlement agreement;
- (g) in the event a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
- (h) appeals of decisions may be taken at various stages of the proceedings; and
- (i) the Court will supervise the execution and administration of the settlement.

10. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this

action and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross-examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.

11. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of this class action, including the risks and costs of same, assisting in preparing the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.

IDENTIFIABLE CLASS

12. I have reviewed the Claim. I agree with the proposed definition of the Survivor Class and believe that it will allow individuals to determine whether they qualify as a Survivor Class Member.

COMMON ISSUES

13. I have reviewed the common issues set out in the Claim. While i do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action, and that a resolution of these common issues will significantly advance this litigation.

PREFERABLE PROCEDURE

14. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware

that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

NO CONFLICT OF INTEREST

15. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

THE PROPOSED SETTLEMENT


16. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.

17. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

18. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure

that the stories of deceased former students can be told and remembered in future generations.

19. I make this Affidavit in support of an application for certification of the within action as a class proceeding for the purpose of implementing the settlement described above.

SWORN before me at Edmonton)
in the Province of Alberta this 13)
day of July, 2006.)
)
_____)
A COMMISSIONER FOR OATHS IN AND)
FOR THE PROVINCE OF ALBERTA)


THERESA ANN LAROCQUE

DEREK A. CRANNA
Barrister & Solicitor

Sworn by Veronica Marten on
the 14th day of July, 2006

Action No. 9901 15362

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

**IN THE MATTER OF CERTAIN CLAIMS ARISING
AT INDIAN RESIDENTIAL SCHOOLS**

**AND IN THE MATTER OF CASE MANAGEMENT
OF INDIAN RESIDENTIAL SCHOOL CLAIMS**

Action No. 0501 09167

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

BETWEEN:

FLORA NORTHWEST, ADRIAN YELLOWKNEE, MICHAEL CARPAN, KENNETH SPARVIER, DENNIS SMOKEYDAY, RHONDA BUFFALO, MARIE GAGNON, SIMON SCIPIO, as representatives and claimants on behalf of themselves and all other individuals who attended Residential Schools in Canada, including but not limited to all Residential Schools' clients of the proposed Class Counsel, Merchant Law Group, as listed in part in Schedule 1 to this Claim, and the John and Jane Does named herein, and such further John and Jane Does and other individuals belonging to the proposed class, including JOHN DOE I, JANE DOE I, JOHN DOE II, JANE DOE II, JOHN DOE III, JANE DOE III, JOHN DOE IV, JANE DOE IV, JOHN DOE V, JANE DOE V, JOHN DOE VI, JANE DOE VI, JOHN DOE VII, JANE DOE VII, JOHN DOE VIII, JANE DOE VIII, JOHN DOE IX, JANE DOE IX, JOHN DOE X, JANE DOE X, JOHN DOE XI, JANE DOE XI, JOHN DOE XII, JANE DOE XII, JOHN DOE XIII, JANE DOE XIII, being a Jane and John Doe for each Canadian province and territory, and other John and Jane Does Individuals, Estates, Next-of-Kin and Entities to be added

Plaintiffs

- and -

ATTORNEY GENERAL OF CANADA

Defendant

Proceedings under the Class Proceedings Act

AFFIDAVIT OF VERONICA MARTEN

SWORN THIS 14TH DAY OF JULY, 2006

I, Veronica Marten, of the City of Edmonton, in the Province of Alberta, MAKE OATH
AND STATE THAT:

1. I am one of the proposed representative plaintiffs in this proceeding. I bring this action on my own behalf and on behalf of all Family Class Members, as described and defined in the proposed Amended Statement of Claim (the "Claim").
2. I was born on February 9, 1972. I am a member of the Mikisew Cree First Nation, in the province of Alberta. I reside in the province of Alberta.
3. My mother, Eva Marten, attended the Holy Angels Indian Residential School ("Residential School") in Fort Chipewyan, Alberta from approximately 1951 to approximately 1967. In addition, many of my mother's siblings also attended Residential School, including my uncles Lawrence, Noel and Malcolm Marten, and my aunt Veronica Marten.
4. I did not attend a residential school myself.
5. I meet the definition of a Family Class Member as set out in the Claim.

OVERVIEW OF MY POSITION

6. I believe that residential schools have had a devastating effect on Canada's aboriginal community. Those who attended the schools bore the brunt of the damage but the schools' impact has also been felt by the families of those survivors, including parents, spouses, children and grandchildren as well as by the wider aboriginal community.
7. I personally have felt the effects of my mother's residential school experience in many ways that I will describe in this affidavit. Like many other aboriginal Canadians I have spent a large part of my life dealing with those effects and looking backwards at the pain and injury which the residential schools caused. I agree with those aboriginal leaders and individuals who say it is time to begin looking ahead rather than behind. I believe it is time for the individuals who have suffered to seek reconciliation and to attempt to rebuild themselves and their communities.

8. I have discussed this settlement with my legal counsel. I understand that it is the result of a lengthy negotiation process in which many lawyers representing survivors, aboriginal leaders, church representatives and representatives of Canada were involved. I understand that during the negotiations many different points of view were expressed and that in order to reach a settlement compromises were required on all sides. I am advised that one of the significant challenges in the negotiations to find a way to fairly and properly recognize the members of the Family Class in a settlement.

9. I recognize that this settlement does not provide any direct financial compensation to members of the Family Class. However other elements of the settlement are of benefit to those members and will help us to put the residential school legacy in the past where it belongs. I believe that this settlement is a fair and reasonable way to address the claims of the Family Class, particularly taking into account the difficulties that may exist in attempting to pursue such claims through litigation. For these reasons I fully support the proposed settlement.

MY EXPERIENCE AS A FAMILY MEMBER OF A RESIDENTIAL SCHOOL SURVIVOR

10. As a child of a Residential School survivor, I have seen and experienced the ongoing effects of the Residential School experience. I understand that my mother suffered abuse, mistreatment and neglect at Holy Angels Residential School where she was also denied the right to use her own language or follow her own culture.

11. More particularly, I believe that my mother suffered the following experiences at Holy Angels:

- (a) From the age of 12 to the age of 14, my mother was subjected to sexual abuse at the hands of two Oblate Brothers employed at the Residential School. This abuse consisted of fondling and rubbing my mother's breasts and bottom, and continued throughout a two-year period;
- (b) Throughout her attendance at Residential School, my mother was subjected to all kinds of physical abuse, which included being slapped across the face for

speaking Cree, being grabbed by the hair, neck and ears, being struck with a leather strap, and being struck with a wooden yardstick. Most of this physical abuse was at the hands of the nuns employed at the school;

- (c) When she was younger, my mother was severely punished for involuntarily wetting her bed. Punishment for doing so included being physically struck, as well as verbal humiliation in front of others – the nuns would call her a “savage” and a “no-good Indian”;
- (d) On other occasions, and for other “offences”, my mother would be punished by being forced to stand in a corner for hours, or would be locked in a storage room for hours at a time;
- (e) In addition to attending classes and religious observances, my mother was forced to work in the fields near the Residential School, digging up potatoes by hand without gloves;
- (f) Throughout her many years at the Residential School, my mother was never referred to by name. She was referred to only as “Number Ten”.

12. These experiences degraded and humiliated my mother and I believe that significantly affected my mother’s ability to relate to other people, and in particular, negatively affected my own relationship with my mother. My mother found it difficult to express affection towards me, both verbally and physically and still finds it difficult today. Because of this, although I know Eva Marten is my mother I do not identify with her as my mother. I find it difficult to make the association between us as mother and daughter. Many times, I will catch myself calling her Eva, instead of Mom.

13. My mother did not experience a loving and expressive relationship from caregivers while attending Residential School. I believe this as well as the mistreatment, abuse and attack upon her identity which she experienced at Holy Angels are at the root of the many problems she has experienced in life which have, in turn, severely affected my own life.

14. My mother has suffered from many addictions throughout her life, including addictions to alcohol and drugs. I learned from her that she had injured herself while she was pregnant with me. It came out that my mother had broken her ankle in a fall and she had fallen because she was very drunk.

15. Recent testing has shown that I suffer from Fetal Alcohol Syndrome. This diagnosis explains many of the problems I have had throughout my life with memory loss and an inability to focus on tasks for any extended period of time.

16. I do not know who my father was. My two older brothers and I each had different fathers.

17. I was placed in foster care at the age of 18 months, and one of my brothers was also placed in foster care at about the same time. My oldest brother, who was born shortly after my mother left the Residential School, was put up for adoption.

18. I believe we were placed in foster care because of my mother's addictions, and her inability to properly care for us.

19. I remained in foster care for the better part of the next 18 years. On occasion, I would be allowed to return and live with my mother for short periods of time; however, I would always ultimately return to a foster home.

20. I was sent to a number of foster homes located in Edmonton, Sherwood Park, and Drayton Valley, Alberta. I was always surrounded by white people in foster care. I had very little exposure to other aboriginal people.

21. Throughout my time in foster care, I understood that I had darker skin than the rest of the children I was with, but had no idea what an "Indian" was, or what culture I had come from.

22. I was both physically and sexually abused during my time in foster care, and was sexually assaulted in one foster home by a male babysitter.

23. At about the age of ten, I ran away from my mother's care to Victoria, British Columbia because I could not tolerate any more of her abuse. I was eventually apprehended and brought back to Alberta.

24. During one visit with my mother, I was sexually assaulted by one of my uncles who had also attended the Residential School.

25. While I suffered these abuses over many years, I also suffered from the belief that my mother did not love me. I imagined that my mother must have originally adopted me, which would have made it easier for her to give me away when she could not care for me. I could not bear to think that she was my real mother and had just given me away.

26. Foster care destroyed any sense I had of my own identity. I had no meaningful connection with my mother or other members of my family. I had no connection to my aboriginal culture and language. I was physically and sexually abused over many years, and received little or no parenting or compassion from others.

27. When I left foster care, I started to seek out my own identity and history. Part of that search led me back to my mother, who told me for the first time about some of her experiences at Residential School. Until that time, I had no idea what those experiences were, or how they had significantly affected her. Our discussions about Residential Schools and her painful experiences there gave me a lot of insight into why I had been placed in foster care, and why we had not been able to connect like a normal mother and daughter.

28. While my mother and I have talked about some of her experiences, it is very traumatic for my mother to relate these memories. She still self-medicates with drugs to take away some of the pain. I believe that my mother went through many more painful experiences at Residential School that she cannot or will not talk about with me.

29. My mother never learned how to be a parent, or how to express love or compassion for her children. I believe that these problems are a result of her time in Residential School, and the failure of the Residential School to create a caring and nurturing environment for its students.

30. I myself was never given a proper example of how to be a parent, or how to create and maintain a normal, functioning family. I lost that chance when my mother was permanently damaged by the Residential School.

31. I am now the single mother of a four-year old boy, who has been recently diagnosed with an attention-deficit disorder. I am struggling to meet the day-to-day obligations of being a parent. However, I now know that my mother and I suffer from many of the same problems in parenting, and I believe that many of these problems stem from my mother's attendance at Residential School. I am working as hard as I can to make sure that my son does not become part of yet another generation of aboriginal children that does not receive the love and attention they should.

32. Since leaving foster care, I have tried to learn more about my family, Residential Schools, and my aboriginal culture and language. My research has helped me in my search to put my own life, and my mother's life, into perspective. However, since I never had any direct teaching about my culture from family members, it has been hard to re-connect with my cultural roots. My mother was put in Residential School at a very young age, and did not have her own chance to learn about our culture from her parents.

33. My mother cannot speak Cree anymore. She was beaten for speaking Cree while at Residential School. She can understand if someone else is speaking it, but she cannot form the Cree words herself. I believe that she is still afraid to speak the language after all of these years because of the punishment she received at Residential School for speaking it.

34. I also cannot speak Cree. I have taken introductory courses at the University of Alberta, but I now find it very hard to pick-up the Cree language after a lifetime of exclusive English use. Without the ability to speak and understand Cree, it will be very hard for me to fully understand and appreciate our cultural traditions and history.

35. My mother's Residential School experiences are tragic, and it saddens me to even think of them. Her devastating treatment while in Residential School has irreversibly damaged my mother, and contributed to a multi-generational loss to our family and to the aboriginal community generally.

36. I therefore believe that both my mother and I suffered harm as a result of the Residential School experience.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

37. I am prepared to act as representative plaintiff of the Class, and in particular the Family Class in this proceeding. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I understand that my role is to protect the interests of the Class.

38. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to some form compensation or redress.

39. I understand that the major steps in a class action typically include: the issuance of the statement of claim (and amendments to it if required), and the provision of a defence; a motion for certification (including the exchange of supporting affidavits and cross examinations as necessary); and, assuming the action is certified as a class proceeding, discoveries, a trial as required, and potentially appeals.

40. In this case, the parties have reached a settlement which they ask the Court to approve. I am now asking the Court to certify the action as a class proceeding by this motion for certification, and approve the settlement. I understand that if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period. The Class Members will also be given full particulars of the settlement, if approved.

41. Class Members will have the right to object to the proposed settlement, and if approved those members who do not opt out will receive the benefits of the settlement agreement.

42. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action; to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such

as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend, if necessary, with Class Counsel at the settlement approval hearing and give evidence regarding the case; to receive briefings from and to instruct Class Counsel; to seek the court's approval of agreements respecting fees and disbursements; and to communicate with Class Members as required.

STEPS TO CARRY OUT MY OBLIGATIONS AS REPRESENTATIVE PLAINTIFF

43. To date, I have taken steps to fairly and adequately represent the Class Members, including instructing counsel to amend and continue the prosecution of a class proceeding, discussing with counsel the nature of the class actions, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.

44. I have reviewed the Claim. I agree with the proposed definitions of the Classes and believe that they will allow individuals to determine whether they qualify as a Class member.

45. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of the common issues would significantly advance this litigation.

46. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many aboriginal persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, and often suffer from poverty and from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without these class actions.

47. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interests of the Class and

in particular, the Family Class, and I am committed to fulfilling my responsibilities as a representative plaintiff.

THE PROPOSED SETTLEMENT

48. The proposed settlement was reached through the long process of negotiation which I have referred to above. The Honourable Frank Iacobucci, Q.C. was appointed in May 2005 as the Federal Representative responsible for convening and superintending multi-party settlement negotiations. Those negotiations were held in various cities across Canada over the summer and fall of 2005, with various stakeholders attending, including legal counsel and aboriginal representatives from the Assembly of First Nations, among others.

49. I understand an agreement in principle was reached on November 20, 2005, which became final on May 10, 2006. That settlement agreement has been approved by the federal cabinet and now is put forward for approval by the courts.

50. I have reviewed the settlement agreement approved by the Federal Cabinet, and I have discussed it with Class Counsel. For the reasons I have described above I believe that this settlement package is beneficial to the Family Class Members. The components of the settlement agreement which are specifically beneficial to the Family Class members include the following:

- (a) There is a payment of \$125,000,000 to the Aboriginal Healing Foundation. That Foundation is focused exclusively on addressing the healing needs of all aboriginal people affected by the residential schools legacy, including the intergenerational impacts. The Foundation will use the funds to pay for community based healing programs designed with a holistic approach. The Foundation's mandate is to fund projects which help communities knit together social, health and other programs into an accessible format to help address the many ways in which individuals have suffered as a result of the residential schools legacy (ie. substance abuse problems, ill health effects, social, behavioral

and emotional problems, educational needs, difficulties obtaining employment, etc.)

The Foundation is national in scope and accepts applications from aboriginal individuals, groups and organizations throughout Canada. It has a specific mandate to address the intergenerational impact of the residential schools legacy and the funds being provided under the settlement provide a direct and accessible benefit to the Family Class members;

- (b) An additional \$20,000,000 has been allocated to fund community based commemoration projects to acknowledge and remember how the residential schools policy has affected the Class. The purpose of commemoration is to honour and validate the healing and reconciliation of the Class through the creation of memorial structures, ceremonies and other projects;
- (c) A Truth and Reconciliation Commission is established through funding of \$60,000,000, to provide an open, safe and holistic environment for the Class and the community to come forward with their experiences, with a view to raising public awareness, facilitating healing and rebuilding in the communities and providing a record for future generations. Both the commemoration projects and the truth and reconciliation initiatives are the foundation of the settlement package which are designed to ensure that the stories of Family Class Members can be told and remembered in future generations;
- (d) A provision is made for surplus Common Experience Payment funds to be further disseminated to the Survivor Class by way of personal credits of up to \$3000, which are transferable to Family Class Members. If a surplus of more than \$40 million remains from the \$1.9 billion set aside for the Common Experience Payments to the Survivor Class, those further credits will be provided. Those personal credits, many of which will likely be designated for use by Family Class Members, can be used for educational services provided by approved educational entities. It is my belief that given the educational nature of the personal credits,

there is a strong likelihood that many members of the Survivor Class will pass on those credits to members of the Family Class, if a surplus exists. Surplus funds not disseminated in this way will go to the Assembly of First Nations and Inuit organizations for educational initiatives which will be accessible to members of the Family Class, and

- (e) In addition to the foregoing, the various church entities that are parties to the Settlement Agreement will provide up to \$102.8 million, through cash and in-kind services to develop new programs designed to assist with healing and reconciliation for the Family Class members and their communities.

51. As a Family Class member, I believe that the significant monetary commitment made to the aboriginal community as part of this settlement agreement will help me and the members of the Family Class to move beyond the tragic legacy of residential schools.

52. I am satisfied with the settlement, and believe that it meets the needs of the Family Class members. It is important for the settlement to be approved because with out it litigation could be protracted, and more and more members of my community would die without a resolution.

SWORN before me at Edmonton
in the Province of Alberta this 14
day of July, 2006.


A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA

DEREK A. CRANNA
Barrister & Solicitor


VERONICA MARTEN

STATUTORY DECLARATION

Canada
Territory of Nunavut

To Wit:

In the Matter of
Indian Residential Schools Settlement

I, **Michelline Ammaq**, of the Hamlet of Igloolik, in the Territory of Nunavut, :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the “Claim”).
2. I was born on August 30th, 1957. I am an Inuk enrolled under the Nunavut Land Claims Agreement. I reside in the Territory of Nunavut.
3. I attended at the Joseph Bernier Hall Residential School (“Residential School”) and resided at Turquetil Hall in Chesterfield Inlet for 5 years, from 1964 to 1969.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

4. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, and being given inadequate food, health care, and education.
5. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

6. I am prepared to act as representative plaintiff of the Class in this proceeding.
7. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
8. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
9. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) in the event a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
10. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
11. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of this class action, including the risks and costs of same, assisting in preparing the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

12. I have reviewed the Claim. I agree with the proposed definition of the Survivor Class and believe that it will allow individuals to determine whether they qualify as a Survivor Class member.

Common Issues

13. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action

and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

14. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

15. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

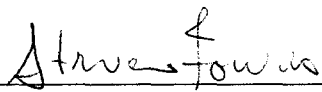
16. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
17. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant


amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

18. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED WITH ME by means of telephone at the Hamlet of Igloolik and in the City of Iqaluit, in the Territory of Nunavut on February 28 2006 and subsequently signed by me.


A Notary Public, etc.


Michelline Ammaq

CANADA

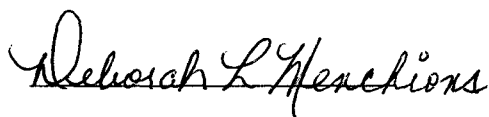
NUNAVUT

TO WIT:

I, Deborah Lee Menchions, of the Hamlet of Igloolik in Nunavut, a Commissioner for Oaths for Nunavut, SAY:

(a) I personally know Michelline Ammaq of the Hamlet of Igloolik in Nunavut; and

(b) I was personally present and did see the Statutory Declaration executed by Michelline Ammaq in Igloolik in Nunavut on February 28, 2006.



Deborah Lee Menchions

Commission for Oaths for Nunavut.

DEBORAH L. MENCHIONS
A COMMISSIONER FOR OATHS IN AND
FOR NUNAVUT.
MY COMMISSION EXPIRES
Dec. 12, 2008

STATUTORY DECLARATION

02536

Canada
Province of _____

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Rhonda Bird (Buffalo), of the City of Regina, in the Province of Saskatchewan :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on February 13, 1964. I am a member of the Day Star First Nation, in the province of Saskatchewan. I reside in the province of Saskatchewan.
3. I attended at the Gordons Indian Residential School ("Residential School") in Punnichy, Saskatchewan for 9 years, from 1971 to 1980.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

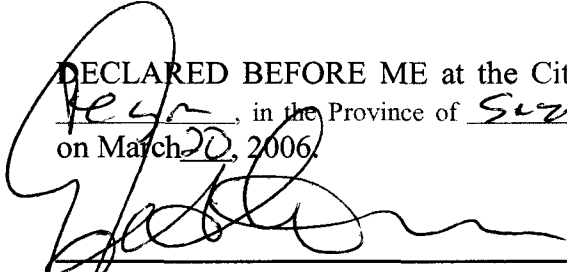
The Proposed Settlement

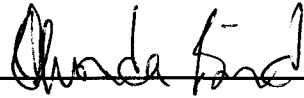
17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Regina, in the Province of Sask,
on March 20, 2006.


A Notary Public
in and for the Province of Sask


Rhonda Bird (Buffalo)

Gerald B. Heinrichs
Solicitor and Notary Public
in and for the
Province of Saskatchewan
Barrister in Her Majesty's
Court of Queen's Bench
#100 - 2401 Saskatchewan Drive
Regina, SK Canada S4P 4H8
Telephone: (306) 359-7777
Fax: (306) 522-3299

H:\Wpdata\NA\IN\RES\DD\Representative Plaintiffs\Rhonda Bird (Buffalo).dec.frm

STATUTORY DECLARATION

02541

Canada
Province of ONTARIO

To Wit:

In the Matter of
Indian Residential Schools Settlement

I, Ernestine Caibaisosai-Gidmark, of the City of WIKWEMIKONG, in the Province of ONTARIO :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on JAN. 03, 1954 (birthdate). I am a member of the SAGA MOK First Nation, in the province of ONTARIO. I reside in the province of ONTARIO.
3. I attended at the () SPANISH Indian Residential School ("Residential School") in SPANISH (City) for 1 (one) years, from 19 61 to 19 62 !?.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.

6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
- (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;

- (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
 - (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

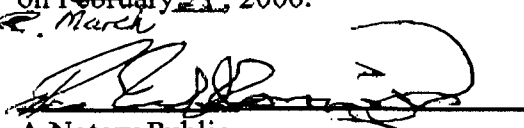
The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.

- 18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the ^{City of} ~~City of~~ Wabigoon in the Province of Ontario,
 on ~~February 22~~ ^{March} 23, 2006.

 A Notary Public
 in and for the Province of Ontario

Ernestine Caibaiosai-Gidmark

Regina Webkamigad,
 a Commissioner, etc., District of Manitoulin,
 for Wikwemikong Unceded Indian Reserve No. 26.
 Expires November 10, 2007.

STATUTORY DECLARATION

02546

Canada
Province of Alberta

In the Matter of

Indian Residential Schools Settlement

To Wit:

I, Michael Carpan, of the City of Edmonton, in the Province of Alberta :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").

2. I was born on JAN 28 / 58. I am a member of SLAVE LAKE in the province of ALTA. I reside in the province of ALTA. *JA MC*

3. I attended at the Blood Band Residential School in Carleton Place, ON. I attended at the Fort George Indian Residential School ("Residential School") in Chisasibi, Quebec for 5 years, from 1937 to 1941. 1964-1976 *MC SA*

4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being abused, being insulted and as a result of my native origin, and being given inadequate food, health care, and an inadequate education.

6. I believe my Residential School experience has caused me lifelong harm and injury.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
 12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.
 13. I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.
 14. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

- 15. I do not have any interest that is in conflict with the interest of any other Class Members. I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.
- 16. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
- 17. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

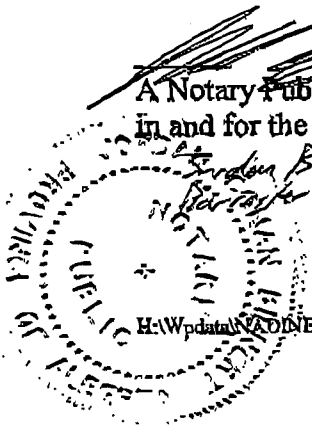
AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Edmonton in the Province of Alberta on July 7, 2006.

A Notary Public
in and for the Province of Alberta

Brandon Brewster
Notary Public & Solicitor

Michael Carpan



STATUTORY DECLARATION

02550

Canada
Province of _____

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Ann Margaret Dene, of the City of Huntington, in the Province of Quebec :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on December 30, 1963. I am a member of the Mikisew Cree Nation, in the province of Alberta. I reside in the province of Quebec.
3. I attended at the Holy Angels Indian Residential School ("Residential School") in Fort Chipewyan, Alberta for 5 years, from 1968 to 1972.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if requested at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

02554

19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of HUNTINGTON, in the Province of Quebec, on ~~February~~ ^{MARCH} 15, 2006.

[Signature]
A Notary Public
in and for the Province of Quebec

[Signature]
Ann Margaret Dene

STATUTORY DECLARATION

Canada
 Province of *Manitoba*
 To Wit:

In the Matter of
 Indian Residential Schools Settlement

I, James Fontaine, of the Sagkeeng Reserve, in the Province of Manitoba :

Solemnly Declare, that:

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on August 15, 1930. I am a member of the Sagkeeng First Nation, in the province of Manitoba. I reside in the province of Manitoba.
3. I attended at the Fort Alexander Indian Residential School ("Residential School") in 1936 for 8 years, from 1936 to 1944.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being repeatedly physically abused, being slapped, strapped and poked, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Survivor Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) in the event a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
 - (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for

cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.

12. To date, in consultation and in conjunction with National Chief Phil Fontaine, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of this class action, including the risks and costs of same, assisting in preparing the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Classes and Classes, and believe that they will allow individuals to determine whether they qualify as a Class or Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

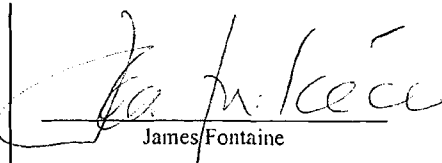
16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the

Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.
19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of
~~WINNIPEG~~ in the Province of
~~MANITOBA~~ on ~~February 9~~, 2006.
~~MANITOBA~~

 JAMES FONTAINE
 A Notary Public, etc. IN AND FOR

James Fontaine

THE PROVINCE OF MANITOBA

STATUTORY DECLARATION

02559

Canada
Province of B.C.

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Peggy Louise Good, of the City of Victoria, in the Province of British Columbia :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on October 9, 1948. I am a member of the Nanaimo First Nation, in the province of British Columbia. I reside in the province of British Columbia.
3. I attended at the Port Alberni Indian Residential School ("Residential School") in British Columbia for 8 years, from 1954 to 1964.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if requested at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

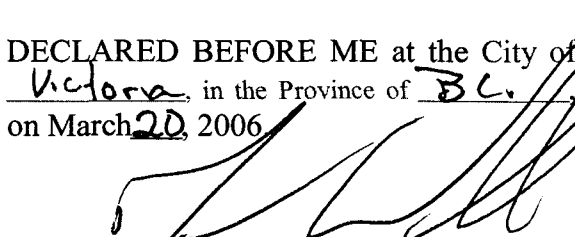
The Proposed Settlement


17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Victoria, in the Province of B.C., on March 20, 2006


A Notary Public
in and for the Province of B.C.


Peggy Louise Good

G. DARREN WILLIAMS
Barrister & Solicitor

203 - 468 Belleville Street
Victoria BC V8V 1W9

H:\Wpdata\NADINE RESIDENTIAL Representative Plaintiffs\Peggy Good.dec.frm

STATUTORY DECLARATION

**Canada
Province of Manitoba**

**In the Matter of
Indian Residential Schools Settlement**

To Wit:

I, Fred Kelly, of the City of Winnipeg, in the Province of Manitoba:

Solemnly Declare, that:

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on April 13, 1942. I am a member of the Ojibwas of Onigaming First Nation. I reside in Winnipeg, Manitoba.
3. I was taken from my family when I was 5 years old and attended St. Mary's Indian Residential School in Kenora, Ontario from 1947 to 1956 and again from 1958 to 1959. I also attended St. Paul's Residential High School in Lebret, Saskatchewan from 1956 to 1958.
4. In addition, many of my family members attended at the St. Mary's Indian Residential School in Kenora, Ontario for varying periods of time. Family members who attended this school include my mother Alice, my father Norman, my brothers Edwin Joseph, Peter, and John, my half-sister Nancy and my half-brother Norbert.
5. I meet the definition of a Survivor Class Member and a Family Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

6. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being repeatedly emotionally, sexually and physically abused, being slapped, strapped and poked, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and education.
7. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

MY EXPERIENCE AS A FAMILY MEMBER OF A RESIDENTIAL SCHOOL SURVIVOR

8. As a family member of a Residential School survivor, I have also seen and experienced the ongoing effects of the Residential School experience. I believe that my family members noted above were abused at Residential School, and deprived of adequate food, health care, and education.
9. I believe the Residential School experience affected my family members in much the same way that the experience effected me. I believe that the Residential School experience negatively affected my relationships with my family members who also attended Residential Schools. Accordingly, I believe that both my family members and I have suffered harm as a result of the Residential School experience.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

10. I am prepared to act as representative plaintiff of the Class, and the Family Class in this proceeding.
11. I will fairly and adequately represent the interests of the Class and Family Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
12. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
13. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;

02566

- (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) in the event a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
 - (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
14. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
15. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, addressing legal fees with counsel, discussing with counsel the nature of this class action, including the risks and costs of same, assisting in preparing the Claim, obtaining documents and other information at the request of counsel, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

16. I have reviewed the Claim. I agree with the proposed definitions of the Classes and Classes, and believe that they will allow individuals to determine whether they qualify as a Class or Class member.

Common Issues

17. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

18. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

19. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

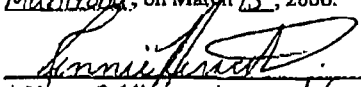
The Proposed Settlement

20. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
21. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of Residential Schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards

reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

- 22. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of
Winnipeg, in the Province of
Manitoba, on March 13th, 2006.

 A Notary Public, etc, in and for
 the Province of Manitoba.


 Fred Kelly

STATUTORY DECLARATION

Canada
Province of ~~Saskatchewan~~
To Wit:

In the Matter of
Indian Residential Schools Settlement

02569

I, Jane McCallum, of the City of Prince Albert, in the Province of Saskatchewan :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the “Claim”).
2. I was born on October 3, 1940. I am a member of the Peter Ballantyne First Nation, in the province of Saskatchewan. I reside in the province of Saskatchewan.
3. I attended at the Guy Hill Indian Residential School (“Residential School”) in The Pas, Manitoba for 9 years, from 1949 to 1958.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if requested at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

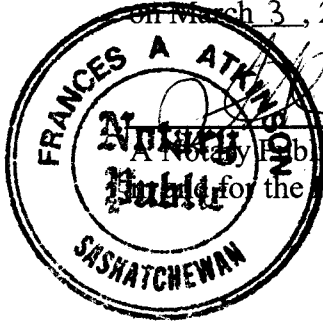
The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of
Prince Albert, in the Province of Saskatchewan
 on March 3, 2006.



 A Notary Public
 for the Province of SASKATCHEWAN.

Jane McCallum

 Jane McCallum

STATUTORY DECLARATION

02574

Canada
Province of _____

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Cornelius McComber, of the City of Kahnawake, in the Province of Quebec :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the “Claim”).
2. I was born on February 22, 1934. I am a member of the Mohawk First Nation, in the province of Quebec. I reside in the province of Quebec.
3. I attended at the St. Charles Garnier Indian Residential School (“Residential School”) in Spanish, Ontario for 7 years, from 1946 to 1952.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Kahnawake, in the Province of Quebec, on March 8, 2006.

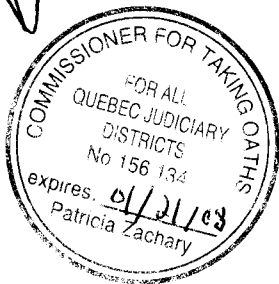
Patricia Zachary

A ~~Notary Public~~ Commissioner of Oaths in and for the Province of Quebec

Cornelius McComber

Cornelius McComber

H:\Wpdata\NADINE\RESIDENT\Representative Plaintiffs\Cornelius McComber.dec.frm



STATUTORY DECLARATION

02579

Canada
Province of MANITOBA
To Wit:

In the Matter of
Indian Residential Schools Settlement

I, Stanley Nepetaypo, of the City of THOMPSON, in the Province of MANITOBA:

Solemnly Declare, that »

- I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
- I was born on 10/25/48 (birthdate). I am a member of the FOX LAKE First Nation, in the province of MANITOBA. I reside in the province of MANITOBA.
- I attended at the NORWAY HOUSE 1954-55 GORDON'S Indian Residential School ("Residential School") in PUNNICHY 1955-59 (City) for 5 years, from 19 54 to 19 59.
- I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

- My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.

6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
- (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
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 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;

- (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
 - (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

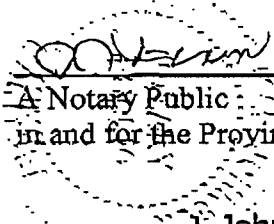
The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.

- 18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.
- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

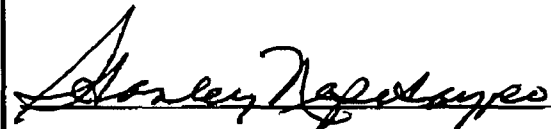
AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of THOMPSON, in the Province of MANITOBA, on February 1st, 2006.
MAR 11


A Notary Public
in and for the Province of MANITOBA

J. Johnson
A Notary Public in and for
the Province of Manitoba

U:\w\data\NADINE\RESIDENTS Representative Plaintiffs Survivors Stat. Declaration v2.wpd
My Commission Expires: 27 FEB 2007


Now used at Lac Seul
STANLEY NEPITABO

Canada
Province of AB

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Flora Northwest, of the City of Hobbema, in the Province of Alberta :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on January 15, 1945. I am a member of the Samson First Nation, in the province of Alberta. I reside in the province of Alberta.
3. I attended at the Ermineskin Indian Residential School ("Residential School") in Hobbema, Alberta for 11 years, from 1951 to 1961.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
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 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
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- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if requested at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
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- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Stobbema in the Province of ALBERTA, on March 6, 2006.

W. L. Atchison PC
 A Notary Public
 in and for the Province of ALBERTA

Flora Northwest
 Flora Northwest

Canada
Province of _____

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Norman Pauchay, of the City of Yorkton, in the Province of Saskatchewan :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the “Claim”).
2. I was born on July 17, 1961. I am a member of the Yellow Quill First Nation, in the province of Saskatchewan. I reside in the province of Saskatchewan.
3. I attended at the Gordons Indian Residential School (“Residential School”) in Punnichy, Saskatchewan for 3 years, from 1971 to 1973.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
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 - (d) at the same time, the Court will be asked to approve the proposed settlement;
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11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if necessary at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

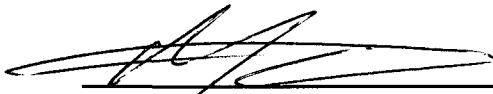
The Proposed Settlement


17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
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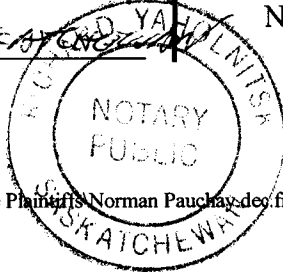
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AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of YORKTON, in the Province of SASKATCHEWAN on March 3rd, 2006.


A Notary Public
in and for the Province of SASKATCHEWAN


Norman Pauchay



STATUTORY DECLARATION

02594

Canada
Province of British Columbia
To Wit:

In the Matter of
Indian Residential Schools Settlement

I, Camble Quatell, of the City of Campbell River, in the Province of British Columbia.

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").

2. I was born on April 16, 1948 (birthdate). I am a member of the Campbell River Indian Band First Nation, in the province of British Columbia. I reside in the province of British Columbia.

3. I attended at the St. Michael's Indian Residential School ("Residential School") in Alert Bay (City) for 10 years, from 1952 to 1962.

4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.

6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
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 - (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

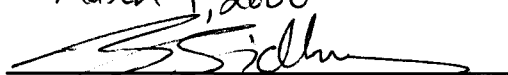
17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.

- 18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

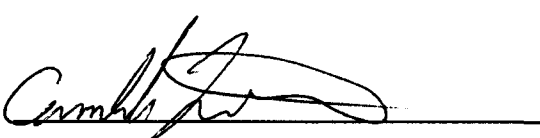
- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of
Campbell River, in the Province of *British Columbia*
 on ~~February~~ *March 1, 2006* 2006.


 A Notary Public
 in and for the Province of *British Columbia*

GURDEEP SIDHU
 NOTARY PUBLIC
 1007 Shoppers Row
 Campbell River, B.C. V9W 2C7
 (250) 287-3445



Canada
Province of _____

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Alvin Saulteaux, of the City of Indian Head, in the Province of Saskatchewan :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on January 1, 1968. I am a member of the Carry the Kettle First Nation, in the province of Saskatchewan. I reside in the province of Saskatchewan.
3. I attended at the Lebret Indian Residential School ("Residential School") in Saskatchewan for 4 years, from 1983 to 1986.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if necessary at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

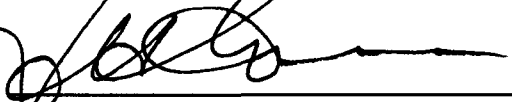
The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

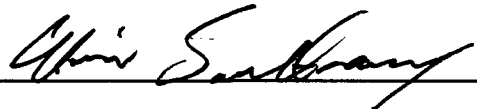
- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Regina, in the Province of SASK, on March 7, 2006.



 A Notary Public
 in and for the Province of SASKATCHEWAN



 Alvin Saulteaux

STATUTORY DECLARATION

02604

Canada
Province of _____

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Christine Semple, of the City of Watson Lake, in the Yukon Territory :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the “Claim”).
2. I was born on December 25, 1944. I am a member of the Grand Rapids First Nation, in the province of Manitoba. I reside in the Yukon Territory.
3. I attended at the Mackay Indian Residential School (“Residential School”) in Mackay, Manitoba for 6 years, from 1957 to 1962.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if requested at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of WATSON LAKE in the Province of YUKON,
on March 09, 2006.

James D. Holt
A Notary Public
in and for the Province of YUKON TERRITORY

Christine Semple
Christine Semple

STATUTORY DECLARATION

02609

Canada
Province of SASK.

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Dennis Smokeyday, of the City of KINISTIN RESERVE, in the Province of SASK.:

Solemnly Declare, that »

- 1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
- 2. I was born on APRIL 10, 1964 (birthdate). I am a member of the KINISTIN First Nation, in the province of SASK.. I reside in the province of SASK.
- 3. I attended at the MUSKOWEGON Indian Residential School ("Residential School") in LESTOCK (City) for 8 years, from 19 70 to 19 78.
- 4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

- 5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.

6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
- (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;

- (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
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12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.

- 18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Kinistin Reserve in the Province of SASK, on February 28, 2006.

Priscilla Anulewsky
 A Notary Public (Commissioned by order of the Provincial Court)
 in and for the Province of SASK.

Heather Sueby Day

My office expires
 Feb. 28, 2011

STATUTORY DECLARATION

02614

Canada
Province of _____

To Wit:



In the Matter of
Indian Residential Schools Settlement

I, Kenneth Sparvier, of the City of Regina, in the Province of Saskatchewan :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on August 29, 1941. I am a member of the Cowessess First Nation, in the province of Saskatchewan. I reside in the province of Saskatchewan.
3. I attended at the Marieval Indian Residential School ("Residential School") in Saskatchewan for 9 years, from 1949 to 1958 and at the Lebret Indian Residential School ("Residential School") in Saskatchewan for 3 years, from 1958 to 1961.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other

things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
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Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

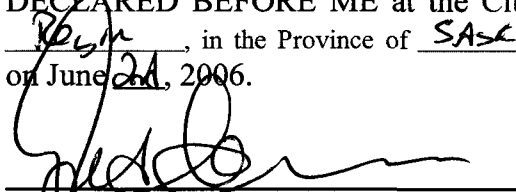
The Proposed Settlement

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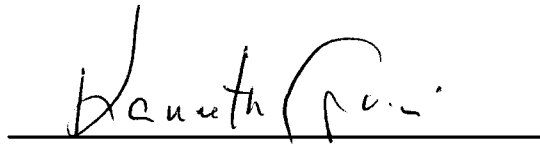
- 18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.
- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Regina, in the Province of SASK, on June 21, 2006.



A Notary Public
in and for the Province of SASKATCHEWAN



Kenneth Sparvier

Gerald B. Heinrichs
Solicitor and Notary Public
in and for the

Province of Saskatchewan
Barrister in Her Majesty's
RESIDENT Representative Plaintiffs

H:\Wpdata\NADINE RESIDENT Representative Plaintiffs\Ken Sparvier.dec.frm

#100 - 2401 Saskatchewan Drive
Regina, SK Canada S4P 4J8
Telephone: (306) 309-7777
Fax: (306) 522-0229

STATUTORY DECLARATION

02619

Canada
Province of Que

To Wit:

In the Matter of

Indian Residential Schools Settlement

I, Edward Tapiatic, of the City of Chisasibi, in the Province of Quebec :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on Feb 21, 1951. I am a member of the Cree Nation of Chisasibi, in the province of Quebec. I reside in the province of Quebec.
3. I attended at the St Philips Indian Residential School ("Residential School") in Quebec for 11 years, from 1956 to 1966.
ha Tugue Res. School 1967-68
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;
 - (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;

- (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of this class action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I have reviewed the common issues set out in the Claim. While I do not have legal expertise, I believe these issues would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not believe that I have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.

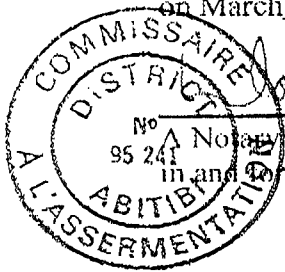
The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.
18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.

19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Chicoutimi, in the Province of Quebec,
on March 3, 2006.



Colin Fubert
Notary Public
in and for the Province of Quebec

[Signature]
Edward Tapiatic

STATUTORY DECLARATION


02624

Canada
Province of _____

In the Matter of

Indian Residential Schools Settlement

To Wit:

H.W.
WILDEMAN 

I, Helen ~~Wilderman~~, of the City of FORT NELSON, in the Province of B.C. :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on SEPT. 19th 1956 (birthdate). I am a member of the FORT NELSON First Nation, in the province of B.C.. I reside in the province of B.C.
3. I attended at the LOWER POST Indian Residential School ("Residential School") in LOWER POST (City) for 5 years, from 19 63 to 19 68.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.

6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

7. I am prepared to act as representative plaintiff of the Class in this proceeding.
8. I will fairly and adequately represent the interests of the Class should this Court appoint me as representative plaintiff. I appreciate that my role is to protect the interests of the Class.
9. I believe that the Defendants have breached their obligations as set out in the Claim, and that the Class is entitled to compensation.
10. I understand that the major steps in the class action can be summarized as follows:
 - (a) the action was started by the issuance of the statement of claim, and has subsequently been amended;
 - (b) I am now asking the Court to certify the action as a class proceeding by this motion for certification;
 - (c) if the Court certifies the action as a class proceeding, the certification notice will be sent to Class Members who will be given the opportunity to opt out of the class action if they wish within a fixed period;
 - (d) at the same time, the Court will be asked to approve the proposed settlement;
 - (e) Class Members will have the right to object to the proposed settlement;

- (f) if the proposed settlement is approved by the Court, Class Members who do not opt out will receive the benefits set out in the settlement agreement;
 - (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
 - (h) appeals of decisions may be taken at various stages of the proceedings; and
 - (i) the Court will supervise the execution and administration of the settlement.
11. I also understand that, in agreeing to seek and accept an appointment as a representative plaintiff, it is my responsibility, among other things, to be familiar with this action, and to review the Claim and any further amendments; to assist in the preparation and execution of an affidavit such as this one in support of the motion for certification and settlement approval; to attend, if necessary, with Class Counsel for cross examination on my affidavit; to attend with Class Counsel if requested at the settlement approval hearing and give evidence regarding the case, if necessary; to receive briefings from and to instruct Class Counsel; to seek the Court's approval of agreements respecting Class Counsel's fees and disbursements; and to communicate with Class Members as required.
12. To date, I have taken steps to fairly and adequately represent the Class Members, including retaining and instructing counsel to commence a class proceeding, discussing with counsel the nature of my action, meeting with counsel as required, and instructing counsel as necessary.

Identifiable Class

13. I have reviewed the Claim. I agree with the proposed definitions of the Class or Classes, and believe individuals will be able to determine whether they qualify as a Class member.

Common Issues

14. I believe the common issues in the Claim would need to be addressed by virtually every individual Class Member if this matter did not proceed by way of a class action and that a resolution of these common issues will significantly advance this litigation.

Preferable Procedure

15. I believe that a class action is the preferable procedure to resolve the common issues. The class action will provide access to justice for me and other Class Members. I am aware that many Aboriginal Persons live in remote communities, are not in a position to retain counsel due to geographic, logistic and financial reasons, suffer from psychological and emotional problems often as a result of their Residential School experiences, which included various forms of institutional child abuse, and suffer from poverty and often from substance abuse. I believe that thousands of Residential School survivors and their families would not be able to advance their legal rights without this class action.

No Conflict of Interest

16. I do not have any interest that is in conflict with the interest of any other Class Members. I believe that I can fairly and adequately represent the interest of the Survivor Class and I am committed to fulfilling my responsibilities as a representative plaintiff.


The Proposed Settlement

17. I believe that this settlement package is beneficial to the Class Members. It includes fair compensation for the entire aboriginal community, and individual compensation for survivors based upon time spent at school, and an accessible process for survivors to seek additional compensation for abuse.

- 18. The settlement includes a truth and reconciliation aspect, as well as a commemorative aspect, both of which are necessary to ensure that the issue of residential schools becomes a part of the public record in Canada, and that its legacy is never repeated. This settlement package also includes a significant amount of money to be put towards reconciliation and healing programs, and ensures the continuation of the Aboriginal Healing Foundation.
- 19. The estates of Residential School attendees who died before May 30, 2005 still receive a benefit from this settlement through the significant community oriented forms of compensation, such as the commemoration and truth and reconciliation initiatives that will be undertaken. These initiatives are the foundation of the settlement package, and will ensure that the stories of deceased former students can be told and remembered in future generations.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the City of Fort Nelson in the Province of BC, on February 6, 2006.



 A Notary Public
 in and for the Province of BC



A Commissioner for taking Affidavits for the Province of British Columbia

NO LEGAL ADVICE GIVEN OR REQUESTED

STATUTORY DECLARATION

Canada
Province of Alberta

To Wit:



In the Matter of
Indian Residential Schools Settlement

02629

I, Adrian Yellowknee, of the City of Wabasca, in the Province of Alberta :

Solemnly Declare, that »

1. I am one of the proposed representative plaintiffs in this putative class proceeding. I bring this action on my own behalf and on behalf of all Class Members, as described and defined in the Statement of Claim (the "Claim").
2. I was born on December 13, 1947. I am a member of the Bigstone Cree Nation, in the province of Alberta. I reside in the province of Alberta.
3. I attended at the St. Martin Indian Residential School ("Residential School") in Alberta for 10 years, from 1953 to 1963 and at the St. Bruno Indian Residential School ("Residential School") in Alberta for 1 year, from 1963 to 1964.
4. I meet the definition of a Survivor Class Member as set out in the Claim.

MY EXPERIENCE AS A RESIDENTIAL SCHOOL SURVIVOR

5. My experience at Residential School involved, but was not limited to, being removed from the care of my parents, family, and community, being actively discouraged from speaking my native language, being sexually and physically abused, being insulted and taunted by persons in authority as a result of my native origin, and being given inadequate food, health care, and an inadequate education.
6. I felt degraded and humiliated by my Residential School experience. I believe my Residential School experience has caused me lifelong harm and injury. Among other

things, it has affected my ability to relate to other people, and my sense of self esteem and self worth.

I AM PREPARED TO ACT AS REPRESENTATIVE PLAINTIFF OF THE CLASS

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 - (e) Class Members will have the right to object to the proposed settlement;
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- (g) if a Survivor Class Member wishes to make an additional claim, the settlement gives him or her the opportunity to do so in relation to the particular harm he or she suffered;
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AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath:

DECLARED BEFORE ME at the ^{hamlet of} ~~City~~ of Wabasca, in the Province of Alberta, on March 16, 2006.


 A Notary Public
 in and for the Province of Alberta

#4283
 D. DAVIS-JACKSON NO EXPIRY


 Adrian Yellowknee

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

**JOINT MOTION RECORD
(Motion for Settlement Approval
returnable August 29, 30 and 31, 2006**

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