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Lawyer, residential-school student battle over legal fee

Last Updated: Monday, December 10, 2007 | 2:41 PM CT
[CBC News](#)

A native man in Manitoba who says he was sexually abused at a residential school is afraid he will be victimized again, this time by a lawyer who worked on his compensation claim.

Fred Brandon, 62, could be entitled to more than \$250,000 in compensation under the Indian Residential Schools Settlement Agreement for sexual abuse he said he suffered at a residential school in the province more than 50 years ago.

After years of waiting for a hearing on the matter, he became impatient and fired his lawyer, the Regina-based Tony Merchant.

Under the Indian Residential Schools Settlement Agreement, lawyers are supposed to receive a maximum of 15 per cent of any settlement awards under the independent assessment process, which will determine how

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Keith McCaskill was sworn in as Winnipeg's 16th chief of police at a ceremony Monday afternoon at city hall.

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The mayor of a small Manitoba town has put together a working group

much — if any — compensation Brandon should receive.

But Brandon is worried he will have to pay more than that, after receiving notice that Merchant is claiming he should receive more than \$8,000 out of any settlement Brandon may receive, as payment for his firm's legal fees.

"There's nothing listed here on what they've done for me, or an itemized list of work they done. All it says here is the amount I owe them. I don't agree with that," he said.

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"I shouldn't be victimized again."

Merchant told CBC News the money won't come out of Brandon's pocket, but rather out of his current lawyer's fees.

"It doesn't make any difference whatsoever to the client," he said.

But Brandon's case has alarmed national aboriginal leaders, who worry situations like these may challenge the guidelines and result in situations where former students who receive settlements pay more to lawyers than they thought they would.

The Assembly of First Nations has taken up Brandon's case; officials say they will take the matter to court if necessary.

to come up with a proposal to bring nuclear power generation to the province.

[Indian Affairs officials in Manitoba put on paid leave](#)

Three top officials from the Manitoba region of the federal Department of Indian and Northern Affairs have been taken off the job, CBC News has learned.

[Brandon student raises cash to support soldiers' families](#)

A high-school student in Brandon, Man., is showing her support for Canada's troops in Afghanistan by selling merchandise in the foyer of the school this week.

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A native man in Manitoba who says he was sexually abused at a residential school is afraid he will be victimized again, this time by a lawyer who worked on his compensation claim.

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[Dozens killed in blasts in Algerian capital: officials](#)

At least 45 people were killed early Tuesday in two bomb attacks in the Algerian capital of Algiers, officials said.

[Putin should be next Russian PM, says successor](#)

Dmitry Medvedev, the man President Vladimir Putin has endorsed to be his successor, says he would back Putin as Russia's next prime minister after the March election.

[Deadly ice storm grips U.S. Midwest](#)

Much of the U.S. Midwest is in the icy grip of a winter storm that has already killed 18 people in Oklahoma and Missouri and was spreading north on Tuesday.

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[Pickton to face sentencing](#)

The families of six women slain after disappearing from Vancouver's Downtown Eastside will have their say in a B.C. court Tuesday as Robert William Pickton is sentenced for their murders.

[N.L. reluctantly signs on to equalization deal](#)

N.L. has quietly implemented Ottawa's new equalization formula, after spending months blasting it.

[Ottawa mayor charged in bribery probe](#)

Ottawa Mayor Larry O'Brien has been charged with two criminal counts, accused of offering to help a rival land a plum post if the opponent dropped out of the 2006 election campaign.

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[Autistic mouse may offer clues about condition, treatments](#)

Scientists have created an "autistic mouse" after replacing a normal gene in its body with a mutated one.

[Heartburn drugs Prilosec, Nexium do not raise heart risk: FDA](#)

Patients who suffer from heartburn are not at increased risk for heart problems as a result of taking Prilosec or Nexium, according to a review released Monday by the U.S. Food and Drug Administration.

[Mormon fasting heart-healthy, study says](#)

New research suggests that Mormons' habit of fasting may be helping their hearts.

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[Arts & Entertainment»](#)

[Led Zeppelin fans treated to a good time](#) 🗣️

The newest member of Led Zeppelin was given the honour of kicking off the band's reunion Monday night, pounding out the beat before the surviving founders joined in on a near-perfect Good Times Bad Times.

[Critics pick oil drama, Coen brothers crime thriller as year's best films](#)

Turn-of-the-century oil prospecting drama *There Will Be Blood*, violent crime thriller *No Country for Old Men* and the dreamy memoir *The Diving Bell and the Butterfly* have emerged as the films to watch, as a flurry of critics groups announce their top picks of the year.

[Rachel Corrie's parents say play 'humanizes' activist daughter](#) 🗣️

My Name is Rachel Corrie, a play about the American activist killed by an Israeli army bulldozer in the Gaza Strip, has just opened in Montreal with Corrie's parents in attendance.

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[Copyright reform bill critics eye victory](#)

A controversial bill that seeks to reform Canadian copyright laws, expected to be introduced early this week, may be quashed after a groundswell of opposition erupted over the past week.

[Humans evolving faster, study says](#)

Humans are evolving faster than ever before, which means people on different continents are becoming increasingly different, a new study says.

[1 in 8 U.S. homes rely strictly on cellphones](#)

More than one in eight American households have cellphones but lack traditional landline telephones, according to a federal study released Monday that tracks the growing dependence on wireless phones in the United States.

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[Conrad Black sentenced to 78 months in jail](#) 🗣️

Conrad Black has been sentenced in Chicago to 6½ years in prison for his role in the misappropriation of millions of dollars from the newspaper empire he once headed.

[Black 'dodged a bullet' with lenient prison term: observers](#) 🗣️

Some observers say Conrad Black, who was sentenced to 78 months in a U.S. prison on Monday for swindling shareholders of Hollinger International out of millions of dollars, was handed a light sentence.

[Toronto, Montreal exchanges announce \\$1.3B merger](#) 🗣️

The Montreal and Toronto exchanges announced a \$1.3-billion merger on Monday that will see the country's two largest exchanges become one.

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[Housing starts hold steady in November](#)

The new housing sector showed no signs of strain in November, with rates nearly matching numbers recorded in October, according to the Canada Mortgage and Housing Corp.

[1 in 8 U.S. homes rely strictly on cellphones](#)

More than one in eight American households have cellphones but lack traditional landline telephones, according to a federal study released Monday that tracks the growing dependence on wireless phones in the United States.

[Noisy toys damage kids' hearing, group warns](#)

Toys louder than 85 decibels can cause hearing damage in children, a hearing expert warned Monday, and called on the government to change its current standards.

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Scores: [CFL](#) [MLB](#) [MLS](#)

[Maple Leafs too much for Lightning](#)

Chad Kilger scored twice as the hometown Toronto Maple Leafs trounced the Tampa Bay Lightning 6-1 on Monday night.

[Canucks bow down to Kings](#)

Jean-Sebastien Aubin made 27 saves as the Los Angeles Kings doubled the visiting Vancouver Canucks on Monday night.

[Stars trim slumping Oilers in OT](#)

Winger Brendan Morrow scored in the final minute of overtime to give the Dallas Stars a 5-4 victory over the Edmonton Oilers Monday night in Texas.

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