

A class action has been authorized for all aboriginals, who, as children, were removed from their homes within assimilative program or policy through the youth protection systems, and were placed, adopted or put in the care of non-aboriginals, in Quebec, from 1951 until January 1, 2020

The Superior Court of Quebec authorized the publication of this notice.

- Your rights may be affected by a class action that has been authorized against:

Against the Attorney General of Canada (« AGC »):

For all Non-Status Indians and Métis who were, as children, removed from their homes through the application of programs or policies of assimilation of Aboriginal children through child protection systems, established and operated by the Attorney General of Canada and/or the Attorney General of Quebec, and who were subsequently placed in Quebec in non-Aboriginal foster families or given up for adoption in Quebec to non-Aboriginal parents or put in the care of non-Indigenous people, in Quebec, from 1951 until January 1, 2020.

Against the Attorney General of Quebec (« AGQ »):

For all Indians, non-status Indians, Métis and Inuit who were removed from their homes as children through programs or policies of assimilation of Aboriginal children through child welfare systems, set up and operated by the Attorney General of Canada and/or the Attorney General of Quebec, and who were subsequently placed in Quebec in non-Aboriginal foster families or given up for adoption in Quebec to non-Aboriginal parents or put in the care of non-Indigenous people, in Quebec, from 1951 until January 1, 2020.

- The Court has not yet decided if the Attorney General of Canada and the Attorney General of Quebec (“the Defendants”) have committed a fault. The Defendants are contesting the class action and take the position that there were no programs or policies for the assimilation of Indigenous children set up and operated by the Attorney General of Canada and/or the Attorney General of Quebec through their child protection systems in Quebec from 1951 until January 1, 2020. If you are a member of the class and sums of money or benefits are obtained at the conclusion of the class action, you will be informed of how to claim your share. No amount of money is available at this time and there is no guarantee that money will eventually be available. Nevertheless, your rights are affected and you must choose one of the following options at this time.

YOUR OPTIONS AT THIS TIME	
DO NOTHING	<p>Remain a member of the class action and await the outcome thereof. You will take part in the sharing of money and benefits, if any.</p> <p>By doing nothing, you retain the possibility to get money or other benefits that could be awarded following a trial or a settlement. However, by doing so, you waive any rights you may have to initiate a personal action having the same object as the one raised in this class action.</p>
OPT-OUT	<p>Withdraw or exclude yourself from this action. You will not take part in the sharing of money or benefits, if any, but you retain the right to exercise an individual action.</p> <p>If you opt-out of the class action and money or benefits are subsequently granted, you will not have any right to a share of said money or benefits. If you wish, you can initiate an action in your own name based on the same object as the one raised in this class action.</p> <p><u>Your rights may also be affected by other class actions already authorized.</u></p>

- Your options are explained in greater detail in this notice. To opt-out, you must act before **APRIL 14, 2025**,

CONTENTS OF THIS NOTICE

CONTENTS OF THIS NOTICE	i
1. GENERAL INFORMATION	1
A) Why is this notice published?	1
B) What is a class action?	1
C) How can I find out if I am a member of this class action?	2
D) What is the Representatives claiming in this class action?	2
E) Is money being offered to me at this moment?	3
2. YOUR OPTIONS.....	3
3. THE LAWYERS.....	4
A) Who is representing me in this matter?.....	4
B) Can I hire my own lawyer?.....	4
C) How will the lawyers be paid?	4
4. NEXT STEPS.....	5
A) Hearing on the common issues.....	5
B) The common issues	5
C) Will I receive money following the end of the hearing on the common issues?..	6
D) How will I know what is happening?.....	6
5. OBTAIN ADDITIONAL INFORMATION	6
OPT-OUT FORM.....	7

1. GENERAL INFORMATION

The Honourable Justice Donald Bisson, judge of the Superior Court of Quebec, is responsible for the oversight of this matter, known under the name of *MARY-ANN WARD et al. c. PGC and PGQ*, file n° 500-06-000829-164 in the district of Montreal.

The persons who brought this action, Mary-Ann Ward, Mario Wabanonick, Julie Sinave et Clara Halliday (the “**Representatives**”), are the representatives of the class who is acting on their behalf and on behalf of all the other members of the class.

The defendants named in this action are: the Attorney General of Canada and the Attorney General of Canada, (the “**Defendants**”).

A) What is the purpose of this action?

On December 7, 2016, the representative Ward filed an application for authorization to initiate class action proceedings and to be designated as class representative. Later, Mario Wabanonick, Julie Sinave et Clara Halliday were joined to Ward as representatives.

The Representatives allege that as aboriginal children they were removed from their homes, via assimilation programs or policies set up and operated by the Defendants through the child protection systems, and who were subsequently placed, adopted or placed in the care of non-Aboriginal parents or guardians, in Quebec, from 1951 until January 1, 2020 .

B) Why is this notice published?

This action was "authorized" as a class action. If you meet the definition of the class (and you are not subject to any exclusions), you have certain rights and certain options that you should consider before the Court decides if the allegations against the Defendants are valid. This notice explains these aspects and the procedure to follow in order to exercise your rights in the future.

C) What is a class action?

In a class action, one or more persons, called “Representative(s)”, commence an action in their own name and on behalf of other persons with similar claims. Persons with similar claims constitute the “class” and are “class members”. The Court attempts to resolve as many litigious issues as possible as part of a single trial on the “common issues” concerning all class members (individual issues may remain following the conclusion of the trial on the common issues). Class members who do not opt-out of the class action are bound by the decisions rendered by the Court in this matter.

To view the register of class actions in Quebec, visit the following website:

<https://www.registredesactionscollectives.quebec/en/Consulter/RecherchePublique>

D) How can I find out if I am a member of this class action?

If you wish to participate in this class action, you are included in this action and do not have to take any action at this time if all the following statements are true:

- you are Indian, non-status Indian, Métis or Inuit;
- you were removed from your household from 1951 until January 1, 2020 and you were removed from your home within assimilative program or policy through the youth protection systems established and operated the Attorney General of Canada and/or the Attorney General of Quebec
- you were placed/adopted or placed in Quebec in the care of non-Aboriginal parents or guardian;

You might be excluded from this class action even if you meet the above conditions:

If you have exercised an individual action having the same object as the present class action, you will be deemed “excluded” from this class action if you maintain your individual action past the opt-out deadline, by **APRIL 14, 2025**.

If you are unsure as to whether this situation applies to you, please communicate with the Representatives’ counsel in order to obtain assistance.

E) What are the representatives claiming in this class action?

The Representatives seek to obtain monetary compensation in the form of compensatory, and moral damages, as well as legal fees, costs and the applicable interest. Specifically, the representatives are asking the Court to:

GRANT the plaintiffs' class action against the defendants;

DECLARE that the defendants are jointly and severally liable for the damages suffered by the four plaintiffs and the members of the group;

CONDEMN the defendants to pay the plaintiffs and all members of the class an amount to be determined but including interest and additional indemnity, to cover the following damages:

- a) Moral damages for loss of identity?
- b) Moral damages for fear and anxiety?
- c) Damages for sexual abuse?

d) Damages for physical abuse and abuse?

e) Moral damages for loss of affection and relationship with regard to the biological parents?

f) Moral damages for psychological distress?

g) Damages for expenses related to the costs of health care and psychological, psychiatric and other similar consultations, insofar as not reimbursed by the governmental health system, by an insurer or by another source?

ORDER the collective recovery of these damages;

MAKE any other order that the Court deems in the best interests of the Class Members;

THE WHOLE, with legal costs, notice publication costs, administration costs for the execution of the judgment to be rendered, and expert costs.

F) Is money being offered to me at this moment?

No. The Court has not yet decided if the defendants are liable and no settlement has been reached between the parties. The defendants deny the allegations made by the Representatives. There is no guarantee that an amount of money or benefits will be awarded to you. However, if they are, you will be informed and will receive information regarding how to claim your share of these benefits.

2. YOUR OPTIONS

At this stage, you must choose whether to remain in the class or to opt-out no later than **APRIL 14, 2025**.

If you do not do anything and you meet the definition of the class, you will automatically be included in the action. You will be bound by any decision of the Court, whether or not it is favorable to you and the class. If benefits are awarded, you will need to take certain actions in order to obtain them. You will only have a right to the benefits if you meet the established criteria regarding the distribution of benefits to individual class members.

If you wish to opt-out, you must do so no later than **APRIL 14, 2025**. You will not be bound by the decisions of the Court in this action, but you will not have any right to the money or other benefits that may be awarded as a result of this action. You will retain your right to pursue an individual claim against the defendants having the same object as the one raised in this class action, if you so wish. Please note that, once you have opted out, you may not subsequently change your mind and decide to “re-join” this class action. Your rights may also be affected by other class actions already authorized.

To opt-out, fill out the opt-out form attached to this notice and send it via mail to the following address:

Greffier de la Cour supérieure du Québec
Palais de Justice de Montréal
Dossier no 500-06-000787-164
1, rue Notre-Dame Est, Salle 1.120
Montréal (Québec) H2Y 1B6

Its highly recommended to send your opt out form by recommended mail. Your opt-out form must be received no later than , **APRIL 14, 2025**. The postmark is deemed to be proof of the date of reception.

3. THE LAWYERS

A) Who is representing me in this matter?

The Representatives are represented by Merchant Law Group LLP in this litigation. Merchant Law Group LLP therefore represents their interests and those of the class, including your interests if you are a member of the class.

B) Can I hire my own lawyer?

If you wish to be represented by another lawyer, you may hire one at your own cost. Your lawyer will need to obtain Court authorization to intervene in this class action. Note that a member intervening in the class may be subject to a pre-trial examination or a medical examination, or both, at the request of the defendants. A class member that does not intervene in the class action cannot be called to a pre-trial examination or a medical examination without a Court decision.

C) How will the lawyers be paid?

You will not have to pay the fees for the Representatives' lawyers in this class action. The Representatives entered into a conditional fee agreement pursuant to which her lawyers will receive i) 25% of the total amount received by the class or ii) any amount granted by the Court following a settlement or a judgment. If no money is obtained by the class, the lawyers will not receive anything. Furthermore, any payment made to the lawyers will need to be approved by the Court.

If you hire your own lawyer, you will be responsible for paying the fees or costs that may be determined by the lawyer.

4. NEXT STEPS

A) Hearing on the common issues

The Representatives will have to prove her allegations and those of the class during a hearing. The hearing would take place in Montreal (Quebec). During the hearing, the Court would hear all the evidence before rendering a decision regarding who would win between the Representatives and the Defendants.

B) The common issues

The main questions of fact and of law that need to be answered as part of the hearing on the common issues are the following:

- 1) Did the defendants commit an extra-contractual fault towards the members of the group by having set up, financed and operated programs or policies for the assimilation of Aboriginal children in Quebec through the youth protection systems, between 1951 and 2020 (“programs and policies”)?
- 2) What is spatio-temporal detail of these programs or policies?
- 3) What is the real or presumed level of knowledge of the defendants of these programs and policies?
- 4) Was the defendant Attorney General of Quebec, at any time between 1951 and 2020, the subordinate of the Attorney General of Canada with respect to these programs and policies? If so, is there liability of the principal?
- 5) Is there solidarity between the defendants?
- 6) Did the class members suffer the following compensatory damages:
 - a) Moral damages for loss of identity?
 - b) Moral damages for fear and anxiety?
 - c) Damages for sexual abuse?
 - d) Damages for physical abuse and abuse?
 - e) Moral damages for loss of affection and relationship with regard to the biological parents?
 - f) Moral damages for psychological distress?
 - g) Damages for expenses related to the costs of health care and psychological, psychiatric and other similar consultations, insofar as not reimbursed by the governmental health system, by an insurer or by another source?

7) Is there causality between damages and fault?

8) Should there be collective recovery of these damages?

C) Will I receive money following the end of the hearing on the common issues?

There is no guarantee that the Representatives will obtain financial compensation or other benefits on behalf of the group.

If the Representatives obtain an amount of money or other benefits following the hearing or a settlement, you will be informed of the process to follow in order to request a share thereof or we will explain to you the other options that would be open to you. It is possible that you will need to demonstrate the validity of your individual claim and you may need to incur costs in order to do so. In that event, you could choose to retain the services of Merchant Law Group to assist you, or you could choose another lawyer of your choice.

D) How will I know what is happening?

The lawyers acting for the Representatives may occasionally send court-approved notices to the class members in order to inform them of the progression of the action.

If you would like to receive these notices, please communicate by telephone with Merchant Law Group LLP by dialing 514-248-7777 or go the following address <https://www.merchantlaw.com/class-actions/current-class-actions/indian-metis-scoop-class-action/> to register on the notice delivery list.

5. OBTAIN ADDITIONAL INFORMATION

You may obtain details on this matter and on the opt-out process by communicating with:

MERCHANT LAW GROUP LLP
3055 Blvd. St-Martin Ouest, Suite T500,
Laval, Québec, H7T 0J3

Tel.: 514 248-7777 or toll-free at 1 866 567-7777
Fax: 514 842-6687

Me Christine Nasraoui (cnasraoui@merchantlaw.com)

OPT-OUT FORM

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL

COUR SUPÉRIEURE
(ACTION COLLECTIVE)

N° 500-06-000829-164

MARY-ANN WARD,

-and-

MARIO WABABONIK,

-and-

CLARA HALLIDAY

-and-

JULIE SINAVE

Representatives

C.

THE ATTORNEY GENERAL OF CANADA,

-and-

THE ATTORNEY GENERAL OF QUEBEC

Defendants

Do not complete this opt-out form unless you are a member of the class (as described in the notice of authorization) and you wish to opt-out of the following class action: *MARY-ANN WARD et al. c. PGC and PGQ, no 500-06-000829-164 (district of Montreal)*. This opt-out form must be received by the clerk of the Superior Court of Quebec no later than **APRIL 14, 2025** at the following address. Its highly recommended to send your opt out form by recommended mail. The postmark is deemed to be proof of the date of reception.:

Greffier de la Cour supérieure du Québec
Palais de Justice de Montréal
Dossier n° 500-06-000787-164
1, rue Notre-Dame Est, Salle 1.120
Montréal (Québec) H2Y 1B6

Your name: _____

Your address: _____

Telephone number: _____

Email: _____

By signing below, I confirm that I do not wish to participate in the *MARY-ANN WARD et al. c. PGC and PGQ* class action and I understand that by opting out, I will not receive any monetary amount or other benefit that might be obtained by the Representatives on behalf of the class members.

Signature

Date