

'FEDERAL INDIAN HOSPITALS' CLASS ACTION¹

Were you admitted to a 'Federal Indian Hospital'? If yes, please read this notice carefully because it affects your legal rights.

This Notice refers to sensitive issues, including physical and sexual abuse, which individuals may find triggering or traumatic. This content has been included to provide information about the proposed Settlement. If you or someone you are assisting experiences symptoms of trauma and/or needs to speak to someone, support is available from the Hope for Wellness Helpline: 1-855-242-3310 or www.hopeforwellness.ca.

From 1936 to 1981, the Federal government operated hospitals referred to as 'Federal Indian Hospitals'. In the class action, *Ann Cecile Hardy v. The Attorney General of Canada* (Court File No. T-143-18), individuals who were admitted to 'Federal Indian Hospitals' sought damages or monetary compensation from Canada for abuses, including psychological, verbal, physical and/or sexual abuse, they experienced while admitted.

This action was certified as a class action by the Federal Court on **January 17, 2020**, on consent.

A proposed Settlement has now been reached to address claims of psychological, verbal, physical and/or sexual abuse at 'Federal Indian Hospitals'. The proposed Settlement would provide compensation to eligible Class Members for these abuses as well as funding to support healing and commemoration initiatives for Class Members and their families.

On **June 10 and 11, 2025**, the Federal Court will hold a hearing to decide whether to approve the proposed settlement and proposed Class Counsel Fees. The Court will consider whether the proposed Settlement is fair, reasonable, and in the best interests of the class.

In recognizing the harm and suffering experienced by people admitted to 'Federal Indian Hospitals', the Parties will ensure the Settlement will be implemented in a trauma-informed and culturally safe manner. The intent is to minimize the burden on Class Members, to mitigate any likelihood of re-traumatization. This will include ongoing legal and mental health supports to Class Members through the Claims Process.

WHAT ARE MY LEGAL RIGHTS AND OPTIONS?

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| 1. Do nothing | If you agree with the proposed Settlement, you do not have to do anything now. If the Court approves the proposed Settlement, further information will be provided about how to make a claim for compensation. |
| 2. Submit an Objection | If you object to the proposed Settlement and DO NOT want the proposed Settlement to be approved by the Court, you may complete an Objection Form and submit it to the Notice Administrator by May 23, 2025 using the information below. If the proposed Settlement is not approved by the Court, the Class Members will not be able to claim the compensation under the Settlement. |

¹ The documents for this class action use some words now recognized as inaccurate, insensitive, or offensive. These words come from a period of Crown-Indigenous relations not grounded in reconciliation. These words are only used when necessary for legal accuracy, or when referring to historical sources.

3. Observe the hearing If you would like to watch the Settlement Approval Hearing, you can attend in person on **June 10 and 11, 2025 in Ottawa, Ontario**. Further information about the hearing will be available at www.IHClassAction.ca.

You do NOT have to attend the hearing. Class Counsel will answer questions that the Court may have about the proposed Settlement Agreement. If you submitted an Objection Form, you do not have to attend the hearing. Class Counsel will file your Objection Form with the Court in advance of the Settlement Approval Hearing.

4. Participate in the hearing If you would like to speak in court, either in person or by video, please write to one of the law firms listed below. You must send your request to participate no later than May 23, 2025.

You can find the Objection Form on the 'Federal Indian Hospitals' Class Action website: www.IHClassAction.ca or by contacting the Notice Administrator at 1-888-592-9101 or Info-IH@IHClassAction.ca, or by mail at: Federal Indian Hospitals Notice Administrator, 410-220, 12 Avenue SW, Building C, Calgary, Alberta T2R 0E9.

WHAT THIS NOTICE CONTAINS

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1. WHY AM I RECEIVING THIS NOTICE?

You received this Notice for one of three reasons:

1. First, you submitted a Federal Indian Hospital Class Action Registration Form to one of the law firms representing Class Members in this class action. Your Registration Form provided Class Counsel with an up-to-date record on how to contact you with updates about the class action and any potential Settlement.
2. Second, someone you know sent you this information because they believe that this Settlement will impact your rights. Please read the entire Notice carefully as your legal rights will be affected, even if you do nothing.
3. Third, you found this Notice in a public area. In an effort to reach as many Class Members as possible, these Notices have been sent to Indigenous communities, groups and organizations across Canada. Please read the entire Notice carefully as your legal rights will be affected, even if you do nothing.

2. WHAT IS A CLASS ACTION?

A class action is a lawsuit which provides a method for a large group of people with common claims to jointly advance one large claim. Class actions are a means through which a large group of individuals can obtain compensation for harms and/or abuses committed against them and has been the preferred legal avenue to address harms to Indigenous peoples in other lawsuits. People admitted to Federal Indian Hospitals have reported experiencing psychological, verbal, physical and/or sexual abuse by staff, officials and other third parties at the Federal Indian Hospitals.

The individuals included in a class action are called Class Members. Unless they exclude themselves by opting out, Class Members are included in the lawsuit.

3. WHAT WERE THE 'FEDERAL INDIAN HOSPITALS'?

'Federal Indian Hospitals' were a network of hospitals across the country that were under the management of the Canadian Federal government, for the treatment of Indigenous patients. Abuses including psychological, verbal, physical and/or sexual abuse were committed against people admitted to 'Federal Indian Hospitals'.

See below for a list of 'Federal Indian Hospitals', and periods during which they were under Canada's management.

4. WHAT IS THIS CLASS ACTION ABOUT?

The class action, *Ann Cecile Hardy et al v. The Attorney General of Canada* (Court File No. T-143-18), was brought to claim damages or monetary compensation for individuals who were admitted to 'Federal Indian Hospitals' and suffered abuses including psychological, verbal, physical and/or sexual abuse while admitted. The class action alleges that by operating 'Federal Indian Hospitals', Canada breached its duties to the people admitted to these Hospitals.

On **January 17, 2020**, the Federal Court certified this action as a class proceeding, with the consent of the Federal government.

5. WHO IS INCLUDED IN THE PROPOSED SETTLEMENT?

The classes or categories of individuals in this Class Action are referred to as:

- Primary Class Members** All persons who were admitted to a 'Federal Indian Hospital' during the Class Period.
- The Class Period means the period during which the Federal government had management over the 'Federal Indian Hospital'. The Class Period for each 'Federal Indian Hospital' is set out in the List of 'Federal Indian Hospitals' below.
- Family Class Members** All persons who are spouses or former spouses, children, grandchildren or siblings of the members of the Primary Class and the spouses of the children, grandchildren, or siblings of the Primary Class Members, or any other individual with a derivative claim in accordance with the applicable family law legislation arising from a relationship with a Primary Class Member.
- Family Class Members will receive no direct compensation under the proposed Settlement. Instead, a \$150 million Healing Fund is being established to support healing, wellness, reconciliation, protection of languages, education and commemoration activities. In addition, the Settlement will provide \$150 million, under existing Indigenous Services Canada (ISC) programming, to support Class Members' health and wellness throughout the implementation of the Settlement Agreement, and \$235.5 million to support research and education regarding 'Federal Indian Hospitals', the preservation of the history of 'Federal Indian Hospitals', and the location of burial sites associated with 'Federal Indian Hospitals'.

You are included in the proposed Settlement as a Primary Class Member and could make a claim for compensation if you were admitted, and suffered abuse while admitted, to a Federal Indian Hospital listed below, when the Hospital was operated by Canada ("Dates of Operation"):

	'FEDERAL INDIAN HOSPITAL'	DATES OF OPERATION
1	Blackfoot Indian Hospital	January 1, 1936 - April 1, 1976
2	Blood Indian Hospital	January 1, 1936 - December 31, 1981
3	Charles Camsell Indian Hospital	November 1, 1945 - December 1, 1980
4	Hobbema Indian Hospital	January 1, 1952 - June 30, 1963
5	Morley Stoney Indian Hospital	January 1, 1936 - December 31, 1960
6	Peigan Indian Hospital	January 1, 1936 - December 31, 1954
7	Sarcee Indian Hospital	January 1, 1936 - March 31, 1946
8	Coqualeetza Indian Hospital	September 1, 1941 - September 30, 1969
9	Miller Bay Indian Hospital	September 16, 1946 - October 1, 1971
10	Nanaimo Indian Hospital	September 1, 1946 - November 20, 1966
11	Brandon Indian Hospital	June 15, 1947 - January 31, 1961
12	Clearwater Lake Indian Hospital	September 24, 1945 - February 28, 1965
13	Dynevor Indian Hospital	September 1, 1939 - November 1, 1957
14	Fisher River Indian Hospital	July 6, 1940 - June 18, 1973
15	Fort Alexander Indian Hospital	December 1, 1937 - November 18, 1964
16	Norway House Indian Hospital	January 1, 1936 - December 31, 1981
17	Percy E. Moore Hospital	June 18, 1973 - December 31, 1981
18	Tobique Indian Hospital	January 1, 1936 - March 31, 1950
19	Edzo Cottage	August 7, 1974 - December 31, 1981
20	Fort Norman Indian Hospital	September 1, 1943 - January 21, 1946
21	Fort Simpson Indian Hospital	September 20, 1973 - December 31, 1981
22	Frobisher Bay Indian Hospital	April 1, 1959 - December 31, 1981
23	Inuvik Indian Hospital	January 13, 1961 - December 31, 1981
24	Watson Lake	March 1, 1966 - December 31, 1981
25	Lady Willington Indian Hospital	January 1, 1936 - September 30, 1968
26	Manitowaning Indian Hospital	January 1, 1941 - March 31, 1951; January 1, 1959 - March 31, 1962
27	Moose Factory Indian Hospital	September 9, 1950 - December 31, 1981
28	Sioux Lookout Indian Hospital	December 12, 1949 - December 31, 1981
29	Squaw Bay Indian Hospital	May 1, 1942 - May 31, 1953
30	Fort Qu'Appelle Indian Hospital	May 1, 1936 - December 31, 1981
31	North Battleford Indian Hospital	May 15, 1949 - August 26, 1977
32	Whitehorse Indian Hospital	April 1, 1959 - December 31, 1981
33	Mayo Hospital	April 1, 1970 - December 31, 1981

6. WHAT COMPENSATION DOES THE PROPOSED SETTLEMENT PROVIDE?

The proposed Settlement must be approved by the Federal Court before compensation will be available to eligible Class Members. The Claims Process for compensation has not yet started.

If approved through the Claims Process, eligible Primary Class Members will receive compensation in accordance with the Compensation Grid below.

Canada has agreed to pay compensation to eligible Primary Class Members who suffered abuse while admitted to a 'Federal Indian Hospital'. Compensation ranges from \$10,000 CAD to \$200,000 CAD, based on the severity of abuse. Eligible Class Members will receive a single payment reflecting the most severe abuse they suffered while admitted to a 'Federal Indian Hospital'.

The Settlement also includes:

- a Healing Fund that will provide \$150,000,000 CAD to support healing, wellness, reconciliation, protection of languages, education and commemoration activities;
- a Research and Commemoration Fund that will provide \$235,500,000 CAD to support research and education regarding 'Federal Indian Hospitals', the preservation of the history of 'Federal Indian Hospitals', and the location of burial sites associated with 'Federal Indian Hospitals'; and
- funding to Indigenous Services Canada in the amount of \$150,000,000 CAD, under existing programming, to support Class Members' health and wellness throughout the implementation of the Settlement Agreement.

7. HOW MUCH COMPENSATION CAN I GET?

The proposed Settlement must be approved by the Federal Court before compensation will be available to eligible Primary Class Members. The Claims Process for compensation has not yet started.

If the Federal Court approves the proposed Settlement, every eligible Primary Class Member whose claim is approved will be assigned compensation according to the severity of abuse they suffered while in a 'Federal Indian Hospital'.

The categories of compensation are as follows:

Level 1	\$10,000 CAD
Level 2	\$50,000 CAD
Level 3	\$100,000 CAD
Level 4	\$150,000 CAD
Level 5	\$200,000 CAD

More information on the compensation levels and the Claims Process can be found in the Settlement Agreement. You can find a copy of the Settlement Agreement and its Schedules on the 'Federal Indian Hospital' website: www.IHClassAction.ca.

8. HOW DO I RECEIVE PAYMENT?

The proposed Settlement must be approved by the Federal Court before compensation will be made available to eligible Primary Class Members. The Claims Process for compensation has not yet started.

If the Federal Court approves the Settlement, you will need to submit a form and indicate the level of compensation you are claiming. A deadline will be set to submit the 'claim form', and more information will be provided after approval of the proposed Settlement.

Your claim form will be assessed by an independent Claims Administrator. They will first assess whether you were admitted to an 'Federal Indian Hospital' during the Class Period.

If it is determined that you were admitted to a 'Federal Indian Hospital' during the Class Period, your claim form will then be assessed for compensation based on the severity of the abuse you suffered. For more information on the compensation levels and the kinds of abuse covered under each level, you can find a copy of the Compensation Grid, and a copy of the Settlement Agreement, on the 'Federal Indian Hospital' website: www.IHClassAction.ca.

9. DOES THE SETTLEMENT PROVIDE COMPENSATION FOR CLAIMS CONNECTED TO MEDICAL TREATMENT?

If approved, the Settlement will provide compensation to eligible Primary Class Members who suffered abuse while admitted to a 'Federal Indian Hospital'.

The Settlement does not provide compensation for medical malpractice or other claims connected to medical treatment at a 'Federal Indian Hospital' which did not involve psychological, verbal, physical and/or sexual abuse ("medical claims").

The Settlement does not impact medical claims. Individuals with medical claims can pursue those claims on an individual basis if they wish.

You do not need to opt out of the class action to commence individual medical claims. If the Settlement is approved, eligible Primary Class Members can claim compensation under the Settlement for any abuse they suffered at a 'Federal Indian Hospital' and also bring individual medical claims.

For any legal matters arising from medical claims, you should contact an independent lawyer for legal advice as soon as possible. If the Settlement is approved, the limitation period applicable to these claims will start after the Court's approval decision.

For further information about medical claims, please contact Class Counsel.

10. WHO ARE THE LAWYERS FOR THE CLASS?

Class Counsel in this class action are:

Koskie Minsky LLP 20 Queen St West
Toronto, ON M5H 3R4
Email: indianhospitalsclassaction@kmlaw.ca
Phone: 1-866-777-6308

Cooper Regel LLP 77 Chippewa Road
Sherwood Park, AB T8A 6J7
Email: info@cooperregel.ca
Phone: 1-866-777-6308

Merchant Law Group LLP 2710 17th Avenue SE
Calgary, AB T2A 0P6
Email: hospitals@merchantlaw.com
Phone: 1-888-652-7020

Klein Lawyers LLP 1385 West 8th Avenue #400
Vancouver, BC V6H 3V9
Phone: 604-874-7171
Email: ihclassaction@callkleinlawyers.com

11. HOW ARE THE LAWYERS PAID?

No part of the Class Counsel fees will be paid by Class Members. Canada has agreed to pay legal fees to Class Counsel for their work on behalf of Class Members. There will be no reduction to any amount payable to a Class Member to pay for Class Counsel fees. The amount of fees that Class Counsel will be seeking for their work on behalf of the Class has not yet been determined. The fees will be in an amount that the Federal Court approves as fair and reasonable, and will be paid separately by Canada. More information about Class Counsel fees will be available prior to the Settlement Approval Hearing on June 10-11, 2025. You can access updated information here: www.IHClassAction.ca.

You may also hire your own lawyer to help prepare your claim for compensation under the Settlement. Class Members will be able to hire any Canadian lawyer to assist with their claims. Class Members will not be required to retain one of the Class Counsel firms for assistance with their claims.

If the Settlement is approved, Canada will pay lawyers who assist Class Members with their claims for compensation an amount up to 5% (plus tax) of the compensation awarded, inclusive of disbursements. Lawyers assisting Class Members with their claims for compensation can ask the Federal Court to approve up to an additional 5% (plus tax) in legal fees, inclusive of disbursements. These amounts will be paid separately by Canada. They **will not** be deducted from any Class Member's compensation.

12. WHAT IF I DO NOT WANT TO PARTICIPATE IN THE CLASS ACTION?

If you do not want to receive compensation under the proposed Settlement and wish to maintain your right to bring your own lawsuit regarding abuse experienced while admitted to a 'Federal Indian Hospital', you may exclude yourself from the class action by "opting out".

To opt out, you must submit an Opt Out Form before the Opt Out Deadline. The Opt Out Deadline will be sixty (60) days from the date on which the Court approves the proposed Settlement. When this deadline is available, it will be posted on www.IHClassAction.ca.

If the proposed Settlement is approved, Class Members who do NOT opt out will be eligible to make a claim for compensation but will not be able to start an individual lawsuit regarding psychological, verbal, physical and/or sexual abuse experienced while admitted to a 'Federal Indian Hospital' as you will be "releasing" Canada from liability (responsibility).

The proposed Settlement, if approved, does not 'release' Canada from liability for medical claims. Individuals with medical claims can make a claim for compensation for psychological, verbal, physical and/or sexual abuse experienced while admitted to a 'Federal Indian Hospital' in this class action and also separately pursue an individual lawsuit for the medical claims if they wish.

If you have any questions about what it means to 'release' claims, please contact Class Counsel.

You can find the Opt Out Form on the 'Federal Indian Hospitals' Class Action website: www.IHClassAction.ca or by contacting the Notice Administrator at 1-888-592-9101 or Info-IH@IHClassAction.ca, or by mail at: Federal Indian Hospitals Notice Administrator, 410-220, 12 Avenue SW, Building C, Calgary, Alberta T2R 0E9.

Opting out of the class action is not the same as objecting to the proposed Settlement. If you disagree with the Settlement, you can voice your opinion by completing an Objection Form as outlined above.

13. HOW DO I GET MORE INFORMATION?

For more information about the proposed Settlement, please visit the 'Federal Indian Hospitals' website at: www.IHClassAction.ca.

You may also contact the Notice Administrator at 1-888-592-9101 or Info-IH@IHClassAction.ca, or by mail at: Federal Indian Hospitals Notice Administrator, 410-220, 12 Avenue SW, Building C, Calgary, Alberta T2R 0E9.

You may also contact Class Counsel at the contact information above.

This Notice has been approved by the Federal Court