

'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.

A proposed Settlement has been reached in a class action to address claims of abuse, including psychological, verbal, physical and/or sexual abuse, at hospitals operated by the Federal government, known as 'Federal Indian Hospitals'. The Federal Court will soon decide whether to approve the proposed Settlement. This Notice summarizes your rights and options.

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.

WHAT IS THIS CASE ABOUT?

'Federal Indian Hospitals', for the treatment of Indigenous patients, were operated by Canada. Abuses, including psychological, verbal, physical and/or sexual abuse, were committed against individuals admitted to these Hospitals.

The class action alleges that in operating and overseeing 'Federal Indian Hospitals', Canada breached its duties to the individuals admitted to these Hospitals. The action sought damages from Canada for harms caused to individuals admitted to the 'Federal Indian Hospitals'. The Federal Court certified this action as a class proceeding on **January 17, 2020**.

WHAT IS THE PROPOSED SETTLEMENT?

Canada has agreed to pay compensation to eligible Class Members who suffered abuse, including psychological, verbal, physical and/or sexual abuse, at a 'Federal Indian Hospital'. Compensation ranges from between \$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 proposed 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 the Hospitals', and the location of burial sites associated with the Hospitals; and
- a \$150,000,000 CAD funding increase to Indigenous Services Canada, under existing programming, to support Class Members' health and wellness throughout the implementation of the Settlement Agreement.

More information on 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 Hospitals Class Action website: www.IHClassAction.ca.

WHO IS INCLUDED IN THE PROPOSED SETTLEMENT?

The classes are defined as follows:

- 1) Primary Class Members:** all persons who were admitted to a 'Federal Indian Hospital' while operated by the Federal government during the Class Period (January 1, 1936 to December 31, 1981).
- 2) Family Class Members:** members of a Primary Class Member's family.

¹ The documents for this class action use some words now recognized as inaccurate, insensitive, and 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.

Only Primary Class Members are eligible for individual compensation from the proposed Settlement. To be eligible, the Primary Class Member must have:

- 1) Been admitted to a 'Federal Indian Hospital' during the dates the 'Federal Indian Hospital' was operated by the Federal government, and,
- 2) Suffered abuse, including psychological, verbal, physical and/or sexual abuse, while admitted to a 'Federal Indian Hospital'.

The list of 'Federal Indian Hospitals' and dates they were operated by the Federal government can be found at: www.IHClassAction.ca. You may also send an email to Info-IH@IHClassAction.ca to receive a copy of the list.

WHO REPRESENTS THE CLASS?

Class Counsel in this action are Koskie Minsky LLP, Cooper Regel LLP, Merchant Law Group LLP, and Klein Lawyers LLP. Each of these law firms' contact information is found at the end of this Notice.

You do not have to pay Class Counsel individually. Class Counsel are not paid through the Settlement, the Healing Fund, or the Research and Commemoration Fund. Class Counsel will ask the Federal Court to approve their legal fees which will be paid separately by Canada.

SETTLEMENT APPROVAL HEARING

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

WHAT ARE MY RIGHTS AND OPTIONS?

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. Object to the proposed Settlement and/or legal fees requested by Class Counsel

If you object to the proposed Settlement, or the amount of legal fees requested by Class Counsel, and DO NOT want the proposed Settlement or the proposed fees to

be approved by the Federal Court, you may complete an Objection Form and submit it to the Notice Administrator by May 23, 2025 using the information below. Class Members will not be able to claim compensation under the Settlement if the proposed Settlement is not approved by the Federal Court.

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.

Opt out of the class action

If you DO NOT want to receive compensation under the Settlement and wish to retain your right to bring your own lawsuit regarding abuse, including psychological, verbal, physical and/or sexual abuse, at 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.

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

3. Observe the hearing

If you would like to watch the Settlement Approval Hearing, you can attend in person in Ottawa, Ontario, or you can use the attendee video link for the public which will be available at www.IHClassAction.ca.

FOR MORE INFORMATION

For more information about the proposed Settlement, you may visit the Federal Indian Hospitals Class Action 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 below. There is no cost for speaking with Class Counsel about the class action or the proposed Settlement.

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

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This Notice has been approved by the Federal Court.