

Federal Court



Cour fédérale

Date: 20211201

Manitoba Court of Queen's Bench File No.: CI-19-01-24661

Federal Court File No.: T-1673-19

Ottawa, Ontario, December 1, 2021

**PRESENT:** The Honourable Mr. Justice Favel

**BETWEEN:**

**Docket: CI-19-01-24661**

**TATASKWEYAK CREE NATION AND CHIEF  
DOREEN SPENCE ON HER OWN BEHALF  
AND ON BEHALF OF ALL MEMBERS OF  
TATASKWEYAK CREE NATION**

**Plaintiffs**

**and**

**ATTORNEY GENERAL OF CANADA**

**Defendant**

*(Class Proceeding commenced under  
The Class Proceedings Act, CCSM. c. C. 130)*

**AND BETWEEN:**

**Docket: T-1673-19**

**CURVE LAKE FIRST NATION AND  
CHIEF EMILY WHETUNG ON HER OWN  
BEHALF AND ON BEHALF OF ALL MEMBERS  
OF CURVE LAKE FIRST NATION AND  
NESKANTAGA FIRST NATION AND  
CHIEF CHRISTOPHER MOONIAS ON HIS OWN  
BEHALF AND ON BEHALF OF ALL MEMBERS  
OF NESKANTAGA FIRST NATION**

**Plaintiffs**

**and**

**ATTORNEY GENERAL OF CANADA**

**Defendant**

**(Class Proceeding commenced under Part 5.1 of the  
*Federal Courts Rules, SOR/98-106*)**

**DIRECTION**

In preparation for the Settlement Approval Hearing and Legal Fees Approval Hearing scheduled for December 7, 8 and 9, 2021;

**THIS COURT DIRECTS that:**

1. That the matter shall take place before both Courts and heard entirely by videoconference using the Zoom platform to commence at 10:00 a.m. (Eastern Time), 9:00 a.m. (Central Time).
2. The hearing shall be conducted in the English language, unless one of the parties notifies the Registry of the Court otherwise.
3. That there will be no requirement to gown. Business attire will be required.
4. The timetable shall be as follows:

**December 7, 2021**

10:00 a.m. (Eastern time)/9:00 a.m. (Central time)

- Opening remarks by Chief Justice Joyal and Justice Favel

10:15 a.m. (Eastern time)/9:15 a.m. (Central time)

- Class counsel provide overview of settlement and its importance to the Class

11:30 a.m. (Eastern time)/ 10:30 a.m. (Central time)

- Morning break

11:45 a.m. (Eastern time)/ 10:45 a.m. (Central time)

- Any objectors address the Courts on settlement or fee approval

1:15 p.m. (Eastern time)/ 12:15 p.m. (Central time)

- Lunch

2:30 p.m. (Eastern time)/ 1:30 p.m. (Central time)

- Class counsel and Defense counsel respond to any objectors on settlement or fee approval

3:00 p.m. (Eastern time)/ 2:00 p.m. (Central time)

- Class counsel make submissions in favour of settlement approval

4:15 p.m. (Eastern time)/ 3:15 p.m. (Central time)

- Defense counsel make submissions in favour of settlement approval

4:30 p.m. (Eastern time)/ 3:30 p.m. (Central time)

- Day concludes

### **December 8, 2021**

10:00 a.m. (Eastern time)/ 9:00 a.m. (Central time)

- Class counsel make submissions in favour of fee approval and respond to any objectors

11:30 a.m. (Eastern time)/ 10:30 a.m. (Central time)

- Morning break

11:45 a.m. (Eastern time)/ 10:45 a.m. (Central time)

- Class counsel conclude submissions in favour of fee approval

12:30 p.m. (Eastern time)/ 11:30 a.m. (Central time)

- Day concludes

**December 9, 2021 (if necessary)**

10:00 a.m. (Eastern time)/ 9:00 a.m. (Central time)

- Counsel addresses any issues arising from the previous days' hearings, or make submissions that could not be accommodated earlier on account of the need to hear from objectors (if necessary).