

Federal Court



Cour fédérale

**Date: 20231129**

**Docket: T-402-19  
T-141-20  
T-1120-21**

**Ottawa, Ontario, November 29, 2023**

**PRESENT: The Honourable Madam Justice Aylen**

**CLASS PROCEEDING**

**BETWEEN:**

**XAVIER MOUSHOOM, JEREMY  
MEAWASIGE (BY HIS LITIGATION  
GUARDIAN, JONAVON JOSEPH  
MEAWASIGE) AND JONAVON JOSEPH  
MEAWASIGE**

**Plaintiffs**

**and**

**THE ATTORNEY GENERAL OF  
CANADA**

**Defendant**

**Docket: T-141-20**

**AND BETWEEN:**

**ASSEMBLY OF FIRST NATIONS,  
ASHLEY DAWN LOUISE BACH, KAREN  
OSACHOFF, MELISSA WALTERSON,  
NOAH BUFFALO-JACKSON (BY HIS**

**LITIGATION GUARDIAN, CAROLYN  
BUFFALO), CAROLYN BUFFALO AND  
DICK EUGENE JACKSON ALSO  
KNOWN AS RICHARD JACKSON**

**Plaintiffs**

**and**

**HIS MAJESTY THE KING  
AS REPRESENTED BY THE ATTORNEY  
GENERAL OF CANADA**

**Defendant**

**Docket: T-1120-21**

**AND BETWEEN:**

**ASSEMBLY OF FIRST NATIONS AND  
ZACHEUS JOSEPH TROUT**

**Plaintiff**

**and**

**THE ATTORNEY GENERAL OF  
CANADA**

**Defendant**

**ORDER**

**UPON MOTION** of the Plaintiffs, in writing pursuant to Rule 369 of the *Federal Courts Rules*, for an order approving various appointments contemplated in the First Nations Child and Family Services Jordan's Principle and Trout Class Final Settlement Agreement dated April 19,

2023, as amended by way of Addendum dated October 10, 2023 [Final Settlement Agreement], which was approved by Order of this Court dated October 24, 2023, together with other relief;

**CONSIDERING** the notice of motion, the affidavit of Naomi Pamela Olivia Denning affirmed on November 8, 2023, the affidavit of Stuart Wuttke sworn November 8, 2023 and the Plaintiffs' written representations;

**AND UPON** being advised that the Defendant consents to the relief sought;

**AND CONSIDERING** that a portion of the relief sought was granted by way of Order dated November 16, 2023;

**AND CONSIDERING** the submissions of the parties at the hearing convened on November 20, 2023 at the request of the Court to address the additional relief sought on the motion;

**AND CONSIDERING** the affidavit of Stuart Wuttke affirmed November 27, 2023 [Supplemental Wuttke Affidavit] filed by the parties on November 28, 2023 in support of the motion;

**AND CONSIDERING** that the Court is satisfied that certain additional relief sought on the motion should be granted based on the additional evidence provided in the Supplemental Wuttke Affidavit;

**AND CONSIDERING** that all defined terms in this Order shall have same meaning as in the Final Settlement Agreement;

**THIS COURT ORDERS that:**

1. Rob Mitchell is appointed as a member of the Investment Committee for a five-year term commencing on the date of this Order.
2. Sonia Baxendale is appointed as a member of the Investment Committee for a five-year term commencing on the date of this Order.
3. Bernd Christmas is appointed as a member of the Investment Committee for a five-year term commencing on the date of this Order.
4. The authority of the Investment Committee under the Final Settlement Agreement is hereby approved.
5. The Investment Committee shall comply with its reporting obligations to the Settlement Implementation Committee under Article 12.04(5) of the Final Settlement Agreement.
6. Helen G. Semaganis is appointed as the Third-Party Assessor for a five-year term commencing on the date of this Order.
7. Eckler Ltd. is appointed as the Actuary.
8. There shall be no costs of this motion.

“Mandy Aylen”

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Judge