

Federal Court



Cour fédérale

Date: 20240206

Docket: T-402-19

T-141-20

T-1120-21

Ottawa, Ontario, February 6, 2024

PRESENT: The Honourable Madam Justice Ayles

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;

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

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 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 a portion of the relief sought was granted by way of Orders dated November 16 and 29, 2023;

AND CONSIDERING the further affidavit from Stuart Wuttke affirmed January 29, 2024 [Further Wuttke Affidavit] filed by the parties on January 31, 2024, together with the letter from counsel for the Plaintiffs of the same date, in support of the remaining relief sought on 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 Further 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. The appointment of CIBC Mellon as Custodian is hereby approved.

2. The appointment of PH&N Institutional/RBC Global Asset Management and CIBC Asset Management as the initial Investment Managers is hereby approved.
3. The initial Investment Plan, as recommended by the Actuary and the Investment Committee, is hereby approved.
4. The remaining relief sought on this motion shall be determined by way of a separate motion.
5. There shall be no costs of this motion.

“Mandy Ayles”

Judge