

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE
EDWARD P. BELOBABA

THURSDAY, JUNE 6, 2019



BETWEEN:

MARCIA BROWN

Plaintiff

- and -

THE ATTORNEY GENERAL OF CANADA

Defendant

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION brought by the Plaintiff in writing and with the consent of the Defendant, for an Order amending the Settlement Agreement in this class proceeding dated November 30, 2017, was read this day at the Court House, 361 University Avenue, Toronto, Ontario.

On reading the Motion Record and Factum of the Plaintiff, and on consent;

THIS COURT ORDERS THAT:

1. Sections 9.02(1) and (4) of the Settlement Agreement are hereby amended by inserting at both sections the words "or a retired judge or arbitrator agreed to by the Parties" after the word "continue".
2. Canada shall pay:

1) the reasonable costs of retaining the Chair of the Exceptions Committee where such chair is a retired judge or arbitrator agreed to by the Parties pursuant to section 9.02(1)(d) of the Settlement Agreement as amended; and

2) the reasonable costs of the Indigenous Representative on the Exceptions Committee under section 9.02(1)(c) of the Settlement Agreement. (the "Committee Costs").

3. If, after the Determination Date under section 6.04(3) of the Settlement Agreement, there exists an Excess Designated Amount pursuant to section 6.05 of the Settlement Agreement, then Canada may bring a motion to the Courts, upon notice to the Parties and the Sixties Scoop Healing Foundation, seeking reimbursement or offset, whether in whole or in part, from the Excess Designated Amount for the Committee Costs it paid.

4. This Order is conditional upon the Federal Court of Canada also approving, without material difference, the above amendment to section 9.02(1) and (4) of the Settlement Agreement.

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

JUL 15 2019

Rm. Ittleman

JUL 12 2019

PER / PAR:

MW

R. Ittleman, Registrar
Superior Court of Justice

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceedings commenced in Toronto, Ontario
under the *Class Proceedings Act, 1992*

ORDER

MB

**MORRIS COOPER
COOPERLAW PROFESSIONAL CORPORATION**
701 Millway Avenue, Suite 10
Vaughan, Ontario, L4K 3S7

LSO: 15904C
Tel: (416) 961-2626
Fax: (416) 961-4000
cooper@cooperlaw.ca

Counsel for the Plaintiff