

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

**WABASEEMOONG INDEPENDENT NATIONS, on behalf of all TREATY 3 FIRST
NATIONS and
CHIEF WAYLON SCOTT, on his own behalf and on behalf of all members of the
WABASEEMOONG INDEPENDENT NATIONS and all members of TREATY 3 FIRST
NATIONS**

Plaintiffs

- and -

**HIS MAJESTY THE KING IN RIGHT OF CANADA
as represented by the ATTORNEY GENERAL OF CANADA**

Defendant

**RESPONDENT'S MOTION RECORD
(Motion for Certification)**

ATTORNEY GENERAL OF CANADA
Department of Justice Canada
Civil Litigation Section
50 O'Connor Street, 5th Floor
Ottawa, ON K1A 0H8

**Per: Heather Thompson
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Larry Wu**
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Counsel for the Defendant

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Counsel for the Plaintiffs

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1.	Affidavit of Andy Doraty, affirmed October 20, 2025
a.	Exhibit A – List of First Nations Entitled to Treaty Annuities
b.	Exhibit B – Summary of Treaty 3 First Nations and Registry Groups
2.	Affidavit of Stefan Matiation, affirmed October 23, 2025
a.	Exhibit A – Specific Claims Policy
b.	Exhibit B – Status Reports on Specific Claims under Treaty 3
c.	Exhibit C – Acknowledgement Letter sent to Grassy Narrows First Nation

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

**WABASEEMOONG INDEPENDENT NATIONS, on behalf of all TREATY 3 FIRST NATIONS
and
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WABASEEMOONG INDEPENDENT NATIONS and all members of TREATY 3 FIRST
NATIONS**

Plaintiffs

- and -

**HIS MAJESTY THE KING IN RIGHT OF CANADA
as represented by the ATTORNEY GENERAL OF CANADA**

Defendant

AFFIDAVIT OF ANDY DORATY

I, Andy Doraty, of the City of Gatineau, in the Province of Quebec, solemnly affirm:

1. I am employed by the Department of Indigenous Services (“ISC”) as an Information Management Specialist for the Office of the Indian Registrar. I am also the System Administrator for the Indian Registration System, which contains the official record of who is recognized as an Indian under the *Indian Act*, RSC, 1985, c I-5 (“*Indian Act*”) and other vital information relating to registration. As a result, I have knowledge of the information contained herein.
2. As an administrative system, the Indian Registration System provides real-time counts and periodic snapshots of the number of individuals registered under the *Indian Act*, including the number of persons so registered and either a member of or affiliated with each statutorily defined “band” in Canada.

3. ISC maintains a publicly accessible list on its website of all First Nations signatories or adherents who are entitled to treaty annuity payments, available at [List of First Nations entitled to treaty annuities](#) . The list for Treaty No. 3 includes 27 First Nations and one (1) General List as further described below. Attached to this affidavit and marked as **Exhibit “A”** is a copy of the list of bands entitled to treaty annuity payments for Treaty 3 as of October 2025.

4. On October 16, 2025, I extracted from the Indian Registration System a summary of the population of persons registered under the *Indian Act* and either members of or affiliated with the First Nations signatories or adherents of Treaty 3 (“Treaty 3 First Nations”). That summary is attached to this affidavit and marked as **Exhibit “B”**. The summary provides that there are 26,319 persons registered under the *Indian Act* who are either members of or affiliated with the Treaty 3 First Nations.

5. In addition to the number of persons registered under the *Indian Act* who are members of or affiliated with the Treaty 3 First Nations, Exhibit B also identifies whether each of those First Nations maintains its own Band List under sections 8 and 10 of the *Indian Act* (“Section 10 First Nations”), or whether its Band List is maintained in the Department of Indigenous Services by the Registrar under sections 8, 9 and 11 of the *Indian Act* (“Section 11 First Nations”).

6. Canada is not aware of the number of members of Section 10 First Nations, as it does not possess copies of their Band Lists. Instead, Canada is only aware of those persons who are registered under the *Indian Act* and were affiliated with that First Nation. In other words, the summary provided at Exhibit B may not accurately reflect the full membership for Section 10 First Nations, who now maintain full control over their own band list.

7. I am informed by Usman Maan, National Manager of Treaty Annuities and Modernization with ISC, and do verily believe that, when treaty payments are made to Section 11 First Nations, Canada pays the relevant amounts to those persons who are registered under the *Indian Act* and are associated to the Band List maintained by the Registrar. I am also informed and do verily believe that when treaty payments are made to Section 10 First Nations, Canada pays the relevant amounts to those persons registered under the *Indian Act* and affiliated with those First Nations.

8. After reviewing the Plaintiff's Notice of Motion for Certification, I understand that the Plaintiff proposes to include, among the members of the Class, individuals associated with Band 826 "General List/Western".

9. I am informed by Usman Maan, National Manager of Treaty Annuities and Modernization with ISC, and do verily believe, that Band 826 "General List/Western" is not a First Nation, but rather a list that includes the names of individuals registered under the *Indian Act* who receive annuities listed in Treaty 3, even though they are neither members of or affiliated with any "band" under the *Indian Act*.

10. The concept of a general list was introduced in 1951 to ensure that individuals without an affiliation with any particular First Nation would not be excluded from the registration. Although this concept was repealed from the *Indian Act* with the enactment of Bill C-31, regional general lists continue to exist within the Indian Registration System for administrative purposes. There are currently 11 active general list codes by region, which serve to indicate a registrant's affiliation with a specific province or territory. Inclusion on these lists is based on regional ancestry or determined on a case-by-case basis by the Registrar.

11. Band 826 "General List/Western" includes two (2) individuals as identified in Exhibit B. The organization and representation of this group are unique, as Band 826 "General List/Western" is not a band or First Nation as contemplated by the *Indian Act*, but rather an administrative category, referred to as a "Registry Group". Certain Registry Groups, including Band 826 "General List/Western", have specific historical circumstances that have resulted in those whose names are included on them receiving treaty annuities.

12. I make this affidavit in response to the Motion for Certification in the within class proceedings.
I know of no fact material to the motion that has not been disclosed in this affidavit.

AFFIRMED remotely by ANDY DORATY
stated as being located in the City of
Gatineau, in the Province of Quebec, before
me at the City of Ottawa, in the Province of
Ontario, on October 20, 2025, in accordance
with O. Reg 431/20 *Administering Oath of
Declaration* remotely.

**Murphy,
Shelby**

Digitally signed by Murphy,
Shelby
Reason: I agree to the terms
defined by the placement of
my signature in this document
Date: 2025.10.20
11:44:33
-04'00'

Commissioner for Taking Affidavits

**doraty
, andy**

Digitally signed
by doraty, andy
Date:
2025.10.20
11:42:42 -04'00'

Andy Doraty

This is Exhibit **A** referred to
in the affidavit of

ANDY DORATY

Affirmed Remotely before me this
20th Day of October, 2025

**Murphy,
Shelby**

 Digitally signed by Murphy, Shelby
Reason: I agree to the terms
defined by the placement of my
signature in this document
Date: 2025.10.20 11:45:02-04'00'

A Commr. & etc.



List of First Nations entitled to treaty annuities

First Nations that are entitled to treaty annuity payments, in accordance with the provisions contained in the specific treaty (or other agreement) they have signed.

Yearly payment amounts (annuity) from each treaty:

- Robinson-Huron Treaty: **\$4** per entitled individual per year.
- Robinson-Superior Treaty: **\$4** per entitled individual per year.
- Treaty Nine (No. 9): **\$4** per entitled individual per year.
- Treaties One to Eight (No. 1 to No. 8), Treaty Ten (No. 10), and Treaty Eleven (No. 11): **\$5** per entitled individual per year.
- Upper and Lower Cayuga Payments: **\$5** per entitled individual biennially (every 2 years) on odd-numbered years (2019, 2021, 2023).

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- [Treaty No. 1](#)
- [Treaty No. 2](#)
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- [Treaty No. 4](#)
- [Treaty No. 5](#)

- Treaty No. 6
- Treaty No. 7
- Treaty No. 8
- Treaty No. 9
- Treaty No. 10
- Treaty No. 11
- Robinson-Superior Treaty
- Robinson-Huron Treaty
- Upper and Lower Cayuga Payments

Treaty No. 1

Band number	First Nation	Region
261	Brokenhead Ojibway Nation	MB
262	Fort Alexander	MB
287	Long Plain	MB
269	Peguis	MB
273	Roseau River Anishinabe First Nation Government	MB
283	Sandy Bay	MB
293	Swan Lake	MB

Treaty No. 2

Band number	First Nation	Region
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Band number	First Nation	Region
316	Dauphin River	MB
280	Ebb and Flow	MB
286	Keeseekoowenin	MB
271	Lake Manitoba	MB
275	Lake St. Martin	MB
274	Little Saskatchewan	MB
279	O-Chi-Chak-Ko-Sipi First Nation	MB
272	Pinaymootang First Nation	MB
281	Skownan First Nation	MB

Treaty No. 3

Band number	First Nation	Region
152	Animakee Wa Zhing #37	ON
153	Anishinabe of Wauzhushk Onigum	ON
125	Anishnaabeg of Naongashiing	ON
124	Big Grassy	ON
265	Buffalo Point First Nation	MB
126	Couchiching First Nation	ON
148	Eagle Lake	ON
826	GENERAL LIST/WESTERN	ON

Band number	First Nation	Region
149	Grassy Narrows First Nation	ON
154	Iskatewizaagegan #39 Independent First Nation	ON
189	Lac Des Mille Lacs	ON
127	Lac La Croix	ON
205	Lac Seul	ON
133	Mitaanjigamiing First Nation	ON
128	Naicatchewenin	ON
158	Naotkamegwanning	ON
129	Nicickousemenecaning First Nation	ON
147	Niisaachewan Anishinaabe Nation	ON
151	Northwest Angle No. 33	ON
235	Obashkaandagaang	ON
258	Ojibway Nation of Saugeen	ON
131	Ojibways of Onigaming First Nation	ON
130	Rainy River First Nations	ON
132	Seine River First Nation	ON
155	Shoal Lake No. 40	ON
150	Wabaseemoong Independent Nations	ON
156	Wabauskang First Nation	ON
157	Wabigoon Lake Ojibway Nation	ON

Treaty No. 4

Band number	First Nation	Region
378	Carry The Kettle	SK
366	Cote First Nation #366	SK
361	Cowessess	SK
389	Day Star	SK
390	Fishing Lake First Nation	SK
294	Gambler First Nation	MB
391	George Gordon First Nation	SK
362	Kahkewistahaw	SK
393	Kawacatoose	SK
367	Keeseekoose	SK
377	Kinistin Saulteaux Nation	SK
379	Little Black Bear	SK
381	Muscowpetung	SK
392	Muskowekwan	SK
380	Nekaneet ¹	SK
408	Ocean Man	SK
363	Ochapowace	SK

¹ Not a Treaty 4 Band but it does receive Treaty 4 annuity.

Band number	First Nation	Region
382	Okanese	SK
383	Pasqua First Nation #79	SK
384	Peepeekisis Cree Nation No. 81	SK
409	Pheasant Rump Nakota	SK
385	Piapot	SK
282	Pine Creek	MB
291	Rolling River	MB
314	Sapotaweyak Cree Nation	MB
387	Star Blanket Cree Nation	SK
368	The Key First Nation	SK
292	Tootinaowaziibeeng Treaty Reserve	MB
285	Waywayseecappo First Nation Treaty Four - 1874	MB
365	White Bear	SK
324	Wuskwi Sipihk First Nation	MB
376	Yellow Quill	SK
364	Zagime Anishinabek	SK
¹ Not a Treaty 4 Band but it does receive Treaty 4 annuity.		

Treaty No. 5



Band number	First Nation	Region
266	Berens River	MB
260	Black River First Nation	MB
267	Bloodvein	MB
301	Bunibonibee Cree Nation	MB
309	Chemawawin Cree Nation	MB
276	Cross Lake Band of Indians	MB
350	Cumberland House Cree Nation	SK
237	Deer Lake	ON
264	Fisher River	MB
305	Fox Lake	MB
297	Garden Hill First Nations	MB
296	God's Lake First Nation	MB
263	Hollow Water	MB
325	Kee-Way-Win	ON
268	Kinonjeoshtegon First Nation	MB
270	Little Grand Rapids	MB
302	Manto Sipi Cree Nation	MB
326	McDowell Lake	ON
310	Misipawistik Cree Nation	MB
312	Mosakahiken Cree Nation	MB

Band number	First Nation	Region
313	Nisichawayasihk Cree Nation	MB
238	North Spirit Lake	ON
278	Norway House Cree Nation	MB
315	Opaskwayak Cree Nation	MB
318	O-Pipon-Na-Piwin Cree Nation	MB
327	Pauingassi First Nation	MB
208	Pikangikum	ON
236	Poplar Hill	ON
277	Poplar River First Nation	MB
356	Red Earth	SK
300	Red Sucker Lake	MB
211	Sandy Lake	ON
303	Sayisi Dene First Nation	MB
307	Shamattawa First Nation	MB
357	Shoal Lake Cree Nation	SK
298	St. Theresa Point	MB
306	Tataskweyak Cree Nation	MB
323	War Lake First Nation	MB
299	Wasagamack First Nation	MB
304	York Factory First Nation	MB

Treaty No. 6

Band number	First Nation	Region
406	Ahtahkakoop	SK
438	Alexander	AB
437	Alexis Nakota Sioux Nation	AB
369	Beardy's and Okemasis	SK
460	Beaver Lake Cree Nation	AB
399	Big Island Lake Cree Nation	SK
404	Big River	SK
464	Cold Lake First Nations	AB
440	Enoch Cree Nation #440	AB
443	Ermineskin Tribe	AB
395	Flying Dust First Nation	SK
465	Frog Lake	AB
838	GENERAL LIST/ALBERTA	AB
469	Heart Lake	AB
370	James Smith	SK
466	Kehewin Cree Nation	AB
353	Lac La Ronge	SK
340	Little Pine	SK

Band number	First Nation	Region
439	Louis Bull	AB
341	Lucky Man	SK
396	Makwa Sahgaiehcan First Nation	SK
328	Marcel Colomb First Nation	MB
311	Mathias Colomb	MB
397	Ministikwan Lake Cree Nation	SK
374	Mistawasis Nêhiyawak	SK
442	Montana	AB
354	Montreal Lake	SK
342	Moosomin	SK
343	Mosquito, Grizzly Bear's Head, Lean Man First Nations	SK
375	Muskeg Lake Cree Nation #102	SK
371	Muskoday First Nation	SK
431	O'Chiese	AB
373	One Arrow First Nation	SK
344	Onion Lake First Nation	SK
441	Paul	AB
405	Pelican Lake	SK
355	Peter Ballantyne Cree Nation	SK

Band number	First Nation	Region
345	Poundmaker	SK
346	Red Pheasant	SK
462	Saddle Lake Cree Nation	AB
444	Samson	AB
347	Saulteaux	SK
360	Sturgeon Lake First Nation	SK
434	Sunchild First Nation	AB
348	Sweetgrass	SK
349	Thunderchild First Nation	SK
402	Waterhen Lake	SK
407	Witchehan Lake	SK

Treaty No. 7

Band number	First Nation	Region
473	Bearspaw	AB
435	Blood	AB
433	Chiniki	AB
436	Piikani Nation	AB
430	Siksika Nation	AB

Band number	First Nation	Region
471	Stoney	AB
432	Tsuu T'Ina Nation	AB
475	Wesley	AB

Treaty No. 8

Band number	First Nation	Region
463	Athabasca Chipewyan First Nation	AB
445	Beaver First Nation	AB
458	Bigstone Cree Nation	AB
359	Black Lake	SK
547	Blueberry River First Nations	BC
470	Chipewyan Prairie First Nation	AB
401	Clearwater River Dene	SK
448	Dene Tha'	AB
762	Deninu K'ue First Nation	NWT
548	Doig River First Nation	BC
450	Driftpile Cree Nation	AB
451	Duncan's First Nation	AB
351	Fond du Lac	SK
467	Fort McKay First Nation	AB

Band number	First Nation	Region
468	Fort McMurray First Nation #468	AB
543	Fort Nelson First Nation	BC
546	Halfway River First Nation	BC
449	Horse Lake First Nation	AB
452	Kapawe'no First Nation	AB
761	K'atlodeeche First Nation	NWT
447	Little Red River Cree Nation	AB
476	Loon River Cree	AB
453	Lubicon Lake	AB
764	Lutsel K'e Dene First Nation	NWT
618	McLeod Lake (8A)	BC
461	Mikisew Cree First Nation	AB
478	Peerless Trout First Nation	AB
544	Prophet River First Nation	BC
759	Salt River First Nation #195	NWT
542	Saulteau First Nations	BC
454	Sawridge First Nation	AB
477	Smith's Landing First Nation	AB
455	Sturgeon Lake Cree Nation	AB
456	Sucker Creek	AB

Band number	First Nation	Region
457	Swan River First Nation	AB
446	Tallcree Tribal Government	AB
545	West Moberly First Nations	BC
459	Whitefish Lake	AB
474	Woodland Cree First Nation	AB
763	Yellowknives Dene First Nation	NWT

Treaty No. 9

Band number	First Nation	Region
142	Albany	ON
242	Aroland	ON
143	Attawapiskat	ON
207	Bearskin Lake	ON
228	Brunswick House	ON
216	Cat Lake	ON
221	Chapleau Cree First Nation	ON
229	Chapleau Ojibway	ON
055	Conseil de la Première Nation Abitibiwinini	QC
182	Constance Lake	ON
183	Eabametoong First Nation	ON

Band number	First Nation	Region
227	Flying Post	ON
215	Fort Severn	ON
185	Ginoogaming First Nation	ON
210	Kasabonika Lake	ON
212	Kingfisher	ON
209	Kitchenuhmaykoosib Inninuwug	ON
186	Martin Falls	ON
219	Matachewan	ON
226	Mattagami	ON
203	Mishkeegogamang	ON
223	Missanabie Cree	ON
144	Moose Cree First Nation	ON
213	Muskrat Dam Lake	ON
239	Neskantaga First Nation	ON
241	Nibinamik First Nation	ON
204	North Caribou Lake	ON
214	Sachigo Lake	ON
259	Slate Falls Nation	ON
145	Taykwa Tagamou Nation	ON
233	Wahgoshig First Nation	ON

Band number	First Nation	Region
206	Wapekeka	ON
234	Wawakapewin	ON
240	Webequie	ON
146	Weenusk	ON
217	Wunnumin	ON

Treaty No. 10

Band number	First Nation	Region
308	Barren Lands	MB
403	Birch Narrows First Nation	SK
398	Buffalo River Dene Nation	SK
394	Canoe Lake Cree First Nation	SK
400	English River First Nation	SK
352	Hatchet Lake	SK
317	Northlands Denesuline First Nation	MB

Treaty No. 11

Band number	First Nation	Region
758	Acho Dene Koe First Nation	NWT

Band number	First Nation	Region
755	Aklavik	NWT
771	Behdzi Ahda' First Nation	NWT
774	Dechi Laot'i First Nations	NWT
760	Deh Gah Gotie Dene First Nation	NWT
754	Deline First Nation	NWT
765	Dog Rib Rae	NWT
752	Fort Good Hope	NWT
773	Gameti First Nation	NWT
809	GENERAL LIST/NWT	NWT
753	Gwichya Gwich'in	NWT
780	Inuvik Native	NWT
770	Jean Marie River First Nation	NWT
768	Ka'a'gee Tu First Nation	NWT
757	Liidlíi Kue First Nation	NWT
766	Nahanni Butte	NWT
756	Pehdzeh Ki First Nation	NWT
767	Sambaa K'e First Nation	NWT
751	Tetlit Gwich'in Band Council	NWT
750	Tulita Dene	NWT
772	West Point First Nation	NWT

Band number	First Nation	Region
769	Wha Ti First Nation	NWT

Robinson-Superior Treaty

Band number	First Nation	Region
194	Animbiigoo Zaagi'igan Anishinaabek	ON
192	Biigtigong Nishnaabeg	ON
197	Biinjitiwaabik Zaaging Anishininaabek	ON
196	Bingwi Neyaashi Anishinaabek	ON
187	Fort William	ON
188	Gull Bay	ON
184	Long Lake No.58 First Nation	ON
225	Michipicoten	ON
191	Pays Plat	ON
195	Pic Mobert	ON
193	Red Rock	ON
190	Whitesand	ON

Robinson-Huron Treaty

Band number	First Nation	Region
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Band number	First Nation	Region
224	Atikameksheng Anishnawbek	ON
180	Aundeck-Omni-Kaning ¹	ON
198	Batchewana First Nation	ON
218	Dokis	ON
199	Garden River First Nation	ON
817	GENERAL LIST/SUDBURY	ON
231	Henvey Inlet First Nation	ON
174	Magnetawan	ON
181	M'Chigeeng First Nation ¹	ON
200	Missisauga	ON
220	Nipissing First Nation	ON
179	Sagamok Anishnawbek	ON
201	Serpent River	ON
137	Shawanaga First Nation	ON
176	Sheguiandah ¹	ON
178	Sheshegwaning ¹	ON
222	Temagami First Nation	ON
202	Thessalon	ON
232	Wahnapitae	ON
136	Wasauksing First Nation	ON

Band number	First Nation	Region
230	Whitefish River	ON
175	Wikwemikong ¹	ON
173	Zhiibaahaasing First Nation ¹	ON
¹ Mixture of members of Robinson Huron Treaty and Manitoulin Island Treaty, that does not provide yearly annuity; only Robinson-Huron provides \$4.00 per annum. Please contact your band office or an ISC or CIRNAC regional office if you have questions about your entitlement.		

Upper and Lower Cayuga Payments

Band number	First Nation	Region
250	Lower Cayuga First Nation (see note)	ON
249	Upper Cayuga First Nation (see note)	ON
Note: The Upper and Lower Cayuga payments are not a treaty. These payments are not treaty payments in the way that the other First Nations listed above receive annuities. Instead, these funds are paid from the interest accrued from the sale of land to the state of New York. A \$5 payment per person occurs once every 2 years, on odd years (for example 2019, 2021, 2023).		

Did you find what you were looking for?

What was wrong?

- ☐ I can't **find** the information
- ☐ The information is hard to **understand**
- ☐ There was an error or something **didn't work**
- ☐ Other reason

Please provide more details

You will not receive a reply. Don't include personal information (telephone, email, SIN, financial, medical, or work details).

Maximum 300 characters

Submit

Date modified: 2023-07-27

This is Exhibit **B** referred to
in the affidavit of

ANDY DORATY

Affirmed Remotely before me this
20th Day of October, 2025

Murphy,
Shelby

Digitally signed by Murphy, Shelby
Reason: I agree to the terms
defined by the placement of my
signature in this document
Date: 2025.10.20
11:45:25
-04'00'

A Commr. & etc.

Indian Register Population Statistics
Treaty 3 First Nations and Registry Groups
As at 2025/10/01

Group	Name	Prov	Memb. Cntrl.	On Reserve		On Crown Land			Off Reserve	Total
				Own Band	Other Band	Own Band	Other Band	No Band		
124	Musk-kosiminiziibing	ON	10	261	39	0	0	0	620	920
125	Anishnaabeg of Naongashiing	ON	10	181	23	0	0	2	284	490
126	Couchiching First Nation	ON	11	676	52	0	0	3	2,270	3,001
127	Gakijiwanong Anishinaabe Nation	ON	10	310	13	0	0	0	219	542
128	Naicatchewenin	ON	11	326	0	0	0	0	294	620
129	Nigigoonsiminikaaning First Nation	ON	11	186	4	0	0	0	260	450
130	Rainy River First Nations	ON	10	474	21	0	0	0	991	1,486
131	Ojibways of Onigaming First Nation	ON	10	482	18	1	0	0	411	912
132	Seine River First Nation	ON	10	361	10	0	0	1	480	852
133	Mitaanjigamiing First Nation	ON	10	132	4	0	0	0	62	198
147	Niisaachewan Anishinaabe Nation	ON	11	165	17	0	0	0	346	528
148	Eagle Lake	ON	11	362	12	0	0	0	306	680
149	Grassy Narrows First Nation	ON	10	969	45	1	0	0	610	1,625
150	Wabaseemoong Independent Nations	ON	11	989	10	0	0	0	1,072	2,071
151	Northwest Angle No.33	ON	11	230	39	0	0	0	441	710
152	Animakee Wa Zhing #37	ON	11	188	5	0	0	0	449	642
153	Anishinabe of Wauzhushk Onigum	ON	11	401	10	0	0	0	495	906
154	Iskatewizaagegan #39 Independent First Nation	ON	11	346	30	0	0	0	349	725
155	Shoal Lake No.40	ON	11	300	14	0	0	0	401	715
156	Wabauskang First Nation	ON	11	142	3	0	0	0	251	396
157	Wabigoon Lake Ojibway Nation	ON	11	183	5	0	0	2	998	1,188
158	Naotkamegwanning	ON	11	718	26	0	0	0	602	1,346
189	Lac Des Mille Lacs	ON	11	7	2	0	0	1	654	664
205	Lac Seul	ON	11	924	33	1	0	22	2,921	3,901
235	Washagamis Bay	ON	11	153	31	1	0	0	174	359
258	Ojibway Nation of Saugeen	ON	11	83	4	13	0	0	147	247
265	Buffalo Point First Nation	MB	10	58	3	0	0	0	82	143
826	GENERAL LIST/WESTERN	ON	NA	0	0	0	0	0	2	2
Total				9,607	473	17	0	31	16,191	26,319

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

**WABASEEMOONG INDEPENDENT NATIONS, on behalf of all TREATY 3 FIRST NATIONS
and
CHIEF WAYLON SCOTT, on his own behalf and on behalf of all members of the
WABASEEMOONG INDEPENDENT NATIONS and all members of TREATY 3 FIRST
NATIONS**

Plaintiffs

- and -

**HIS MAJESTY THE KING IN RIGHT OF CANADA
as represented by the ATTORNEY GENERAL OF CANADA**

Defendant

AFFIDAVIT OF STEFAN MATIATION

I, Stefan Matiation, of the city of Gatineau, in the Province of Quebec, AFFIRM THAT:

1. I am the Director General, Specific Claims Branch (SCB) of Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC). As such, I have personal knowledge of the facts and matters hereinafter deposed to by me, except where stated to be based on information and belief in which case I believe those facts to be true.
2. The Specific Claims Branch processes submissions of specific claims for First Nations pursuant to “The Specific Claims Policy and Process Guide that is publicly accessible online at <https://www.rcaanc-cirnac.gc.ca/eng/1100100030501/151288705629>. It sets out, among other things, the process of claim submission and filing with the Minister. A copy of the Specific Claims Policy is attached to this affidavit and marked as **Exhibit “A”**.

3. Once a specific claim is submitted, it is assessed against the Minimum Standard set out in Annex A of the Specific Claims Policy and Process Guide to determine whether it will be filed with the Minister or returned to the First Nation with an explanation as to why it cannot be filed with the Minister. The Specific Claims Branch notifies the First Nation in writing when the First Nation's specific claim has been filed with the Minister.

4. The Specific Claims Branch also reports publicly on those specific claims that have been filed with the Minister, through its Reporting Centre on Specific Claims. Public reports are available online: https://services.aadnc-aandc.gc.ca/SCBRI_E/Main/ReportingCentre/External/externalreporting.aspx.

5. The Reporting Centre provides up-to-date information about the status of individual First Nation specific claims, along with a brief description of the claim and key dates, which includes the date on which the claim was filed with the Minister.

6. Attached hereto and marked as **Exhibit "B"** is a copy of Status Reports on Specific Claims from the Specific Claims Branch as of October 20, 2025. This report covers all First Nations in Ontario and Manitoba with specific claims relating to the indexation of annuities and agricultural benefits under Treaty 3 that had been filed with the Minister.

7. To date, two (2) specific claims relating to the indexation of annuities and agricultural benefits under Treaty 3 had been filed with the Minister. The Specific Claims Branch notified each of the First Nations that their respective claims had been filed with the Minister. There are also three (3) specific claims that are still pending filing, as evidenced with the acknowledgement letter sent to the Grassy Narrows First Nation, attached to this affidavit and marked as **Exhibit "C"**. The specific claims are as follows:

- a) Wabaseemoong Independent Nations – Treaty 3 Annuities Indexing
- b) Shoal Lake No. 40 – Treaty 3 Agricultural Benefits
- c) Grassy Narrows First Nation – Treaty 3 Agricultural Benefits (pending filing)
- d) Grassy Narrows First Nation – Treaty 3 Annuities Indexing (pending filing)
- e) Grassy Narrows First Nation – Treaty 3 Other Benefits Indexing (pending filing)

8. I make this affidavit in response to the Motion for Certification in the within class proceedings.
I know of no fact, material to the motion, that has not been disclosed in this affidavit.

AFFIRMED remotely by STEFAN)
MATIATION stated as being located in the)
City of Gatineau, in the Province of Quebec,)
before me at the City of Ottawa, in the)
Province of Ontario, on October 23, 2025, in)
accordance with O. Reg 431/20)
Administering Oath of Declaration remotely)
Digitally signed by Murphy,)
Shelby)
Reason: I agree to the terms)
defined by the placement of)
my signature in this document)
Date: 2025.10.23)
12:20:19)
-04'00')
Commissioner for Taking Affidavits)
)

Murphy,
Shelby

Matiation,
Stefan

Digitally signed by Matiation, Stefan
DN: C=CA, O=GC, OU=INAC-AINC,
CN="Matiation, Stefan"
Reason: I am the author of this
document
Location:
Date: 2025.10.23 12:17:07-04'00'
Foxit PDF Editor Version: 2025.1.0

Stefan Matiation

This is Exhibit **A** referred to
in the affidavit of

STEFAN MATIATION

Affirmed remotely before me this 23rd
Day of October, 2025

**Murphy,
Shelby**

Digitally signed by Murphy, Shelby
Reason: I agree to the terms
defined by the placement of my
signature in this document
Date: 2025.10.23 12:20:55-04'00'

A Commr. & etc.



The Specific Claims Policy and Process Guide

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Introduction

In 1982, the federal government released Outstanding Business: A Native Claims Policy, which set out the policy on specific claims and guidelines for the assessment of claims and negotiations. Important amendments were made to the Specific Claims Policy in the early 1990s.

On June 12, 2007, the Prime Minister announced Justice at Last: Specific Claims Action Plan, which outlined plans to accelerate the resolution of specific claims in order to provide justice for First Nation claimants and

certainty for government, industry and all Canadians. The Action Plan is intended to ensure impartiality and fairness, greater transparency, faster processing and better access to mediation.

A key feature of the Action Plan is the *Specific Claims Tribunal Act*, which came into force on October 16, 2008. Pursuant to the Act, First Nations may choose to file claims with the independent Tribunal that are not accepted for negotiation or that are not resolved through a negotiated settlement agreement within a specified time frame.

The fundamental principles of the Specific Claims Policy as articulated in *Outstanding Business: A Native Claims Policy* have not changed. These principles are: an outstanding lawful obligation must be confirmed, valid claims will be compensated in accordance with legal principles and any settlement reached must represent the final resolution of the grievance. The purpose of this document is to set out an updated policy statement and process guide that reflects the foregoing developments and ensures consistency of language between the Specific Claims Policy and the *Act*.

Justice at Last: Specific Claims Action Plan

Justice at Last: Specific Claims Action Plan is designed to dramatically improve the specific claims process and address the backlog of specific claims through the implementation of practical measures to enhance the efficiency of processing. The Action Plan built on the lessons learned from previous attempts to reform the specific claims process, the recommendations in the Standing Senate Committee on Aboriginal Peoples' final report on specific claims entitled *Negotiation or Confrontation: It's Canada's Choice*, which was tabled in the Senate on February 7, 2007, and the advice of First Nations.

The Action Plan has four interdependent pillars:

- creation of a legislated independent Tribunal with the authority to issue binding decisions;
- dedicated funding for settlements in the amount of \$250 million per year for ten years;
- faster processing of specific claims and improvements to internal government procedures; and
- better access to mediation services to help the parties reach negotiated settlements.

The Specific Claims Tribunal Act

The *Specific Claims Tribunal Act* (the Act), developed jointly with the Assembly of First Nations, was introduced in the House of Commons on November 27, 2007, received Royal Assent on June 18, 2008 and came into force on October 16, 2008. The Act creates an independent adjudicative body known as the Specific Claims Tribunal (the Tribunal) and introduces timelines for the assessment and negotiation of specific claims. The Tribunal provides First Nations with a further alternative to the courts to settle specific claims.

As set out in the *Specific Claims Tribunal Act*, there are four scenarios in which a First Nation may file a claim with the Tribunal:

- the Minister has notified the First Nation of his or her decision not to negotiate the claim, in whole or in part;
- three years have elapsed after the day on which the claim was filed with the Minister and the Minister has not notified the First Nation in writing of his or her decision on whether to negotiate the claim;
- in the course of negotiating the claim, the Minister consents in writing to the filing of the claim with the Tribunal; or,

- three years have elapsed after the day on which the Minister has notified the First Nation in writing of his or her decision to negotiate the claim, in whole or in part, and the claim has not been resolved by a final settlement agreement.

The Policy

The term "specific claims," generally, refers to claims made by a First Nation against the federal government which relate to the administration of land and other First Nation assets and to the fulfilment of Indian treaties, although the treaties themselves are not open to renegotiation.

The primary objective of the federal government with respect to the Specific Claims Policy is to discharge its lawful obligation, as determined by the courts if necessary. Negotiation, however, remains the preferred means of settlement by the federal government. The Specific Claims Policy establishes the principles and process for resolving specific claims through negotiation.

Assessment of Claims

In order to be assessed within the Specific Claims Policy, a specific claim:

- must be submitted by a First Nation ¹ and the First Nation submitting the claim must be the First Nation suffering the alleged grievance, or a group of First Nations if all are submitting the same claim;
- must concern events that occurred at least 15 years prior to the filing of the claim;
- cannot be based on a land claims agreement ¹ or self-government agreement entered into after December 31, 1973 or any related agreement or Act of Parliament;

- cannot concern the delivery or funding of programs or services related to policing, regulatory enforcement, corrections, education, health, child protection or social assistance, or of any similar programs or services;
- cannot be based on an agreement between the First Nation and the Crown that provides for another mechanism for the resolution of disputes arising from the agreement;
- cannot be based on, or allege, Aboriginal rights or title;
- cannot be based on treaty rights related to activities of an ongoing and variable nature, such as harvesting rights; and
- must be compensable in accordance with the compensation criteria.

Grounds for a Claim

A First Nation may submit a claim seeking compensation for its losses based on any of the following grounds:

- a. a failure to fulfil a legal obligation of the Crown ¹ to provide lands or other assets under a treaty or another agreement between the First Nation and the Crown ¹;
- b. a breach of a legal obligation of the Crown ¹ under the Indian Act or any other legislation - pertaining to Indians or lands reserved for Indians - of Canada or of a colony of Great Britain of which at least some portion now forms part of Canada;
- c. a breach of a legal obligation arising from the Crown's ¹ provision or non-provision of reserve lands, including unilateral undertakings that give rise to a fiduciary obligation at law, or its administration of reserve lands, Indian moneys or other assets of the First Nation;
- d. an illegal lease or disposition by the Crown ¹ of reserve lands;

- e. a failure to provide adequate compensation for reserve lands taken or damaged by the Crown ¹ or any of its agencies under legal authority; or
- f. fraud by employees or agents of the Crown ¹ in connection with the acquisition, leasing or disposition of reserve lands.

Compensation

The compensation criteria as previously set out in Outstanding Business: A Native Claims Policy shall continue to be the basis upon which compensation is determined.

1. As a general rule, a claimant band shall be compensated for the loss it has incurred and the damages it has suffered as a consequence of the breach by the federal government of its lawful obligations. This compensation will be based on legal principles.
2. Where a claimant band can establish that certain of its reserve lands were taken or damaged under legal authority, but that no compensation was ever paid, the band shall be compensated by the payment of the value of these lands at the time of the taking or the amount of the damage done, whichever is the case.
3.
 - a. Where a claimant band can establish that certain of its reserve lands were never lawfully surrendered, or otherwise taken under legal authority, the band shall be compensated either by the return of the lands or by the current unimproved value of the lands.
 - b. Compensation may include an amount based on the loss of use of the lands in question, where it can be established that the claimants did in fact suffer such a loss. In every case the loss shall be the net loss.
4. Compensation shall not include any additional amount based on "special value to the owner" unless it can be established that the land

in question had a special economic value to the claimant band, over and above its market value.

5. Compensation shall not include any additional amount for the forcible taking of land.
6. Where compensation received is to be used by the First Nation for the purchase of other lands, such compensation may include reasonable acquisition costs, but these costs must not exceed 10% of the appraised value of the lands to be acquired.
7. Where it can be justified, a reasonable portion of the costs of negotiation may be added to the compensation paid.
8. In any settlement of specific native claims the government will take third party interests into account. As a general rule, the government will not accept any settlement which will lead to third parties being dispossessed.
9. Any compensation paid in respect to a claim shall take into account any previous expenditures already paid to the claimant in respect to the same claim.
10. The criteria above are general in nature and the actual amount which the claimant is offered will depend on the extent to which the claimant has established a valid claim, the burden of which rests with the claimant. As an example, where there is doubt that the lands were ever reserve land, the degree of doubt will be reflected in the compensation offered.

In respect to criterion 2, established practice will continue. Compensation will be equal to the market value of the reserve land at the time that it was taken brought forward to the present value. Similarly, in respect to

damage, compensation will be equal to the historical value of the damage done brought forward to the present value.

Certainty and Finality

The federal government requires certainty and finality when it settles a claim. A claim settlement must achieve complete and final redress of the claim. First Nations must, therefore, provide the federal government with a release and an indemnity with respect to the claim, and may be required to provide a surrender, end litigation or take other steps so that the claim cannot be re-opened at some time in the future.

In any settlement of specific claims the federal government will take third party interests into account. The federal government will not accept any settlement which will lead to third parties being dispossessed. A claimant may use settlement money to purchase lands. Any land purchased by a claimant would be on a willing-seller/willing-buyer basis.

First Nations achieving a settlement of their claims are expected to manage the proceeds of the settlement themselves. In the case of substantial settlements, the final agreement may specify the structure of mechanisms established by the First Nation to administer settlement benefits.

Statutes of Limitation, the Doctrine of Laches and Other Defences

Statutes of limitation are federal or provincial statutes which limit the time within which legal action may be taken in the courts to resolve a grievance. The right to take action will, therefore, expire after a certain length of time unless legal proceedings have been started.

With respect to specific claims, however, the federal government decides whether to negotiate each claim on the basis of the issues involved. First Nations with longstanding grievances will not have their claims rejected

before they are even heard because of the technicalities provided under the statutes of limitation or under the doctrine of laches. In other words, the federal government is not going to refrain from negotiating claims on the basis that they are submitted too late (statutes of limitation) or because the First Nation has waited too long to present its claim (doctrine of laches).

Each claim submission will be assessed on its own facts and merits. All relevant historical evidence will be considered and not only evidence which, under strict legal rules, would be admissible in a court of law. Therefore, the acceptance of a claim for negotiation is not to be interpreted as an admission of liability and, in the event no settlement agreement is reached and litigation ensues, the federal government reserves the right to plead all defences available to it, including limitation periods, laches and lack of admissible evidence.

The Process

1. Submission

First Nations are responsible for researching their own claims and submitting those claims in accordance with the Minimum Standard (see Annex A). The Minister of Indian Affairs and Northern Development will notify First Nations in writing when their claim submission has been received.

2. Early Review: Minimum Standard

Within six months of receipt by the Minister, all claim submissions will be assessed against the Minimum Standard. All claim submissions that meet the Minimum Standard will be filed with the Minister. The First Nation will be notified in writing whether the claim has been "filed with the Minister."

It is the date of filing that marks the beginning of the three-year assessment period. If a claim submission does not meet the Minimum Standard, it will be returned to the First Nation with an explanation as to why it has not been filed with the Minister.

The claim filed with the Minister is the same claim that may ultimately be filed with the Tribunal by the First Nation, consequently, no new allegation, grounds or evidence can be added to the claim once the First Nation has been notified that its claim has been filed with the Minister.

3. Research and Assessment

Once the claim is filed with the Minister, the Minister then has three years to assess it in accordance with the assessment criteria and the six grounds for establishing a specific claim set out in the Policy section of this publication. As part of its assessment, the Specific Claims Branch may perform additional research and obtain legal advice.

In the event the First Nation does not receive a response as to whether its claim has been accepted for negotiation within the three-year time period, the First Nation has the option of either waiting for the results of the federal government's assessment or filing the claim with the Tribunal for a determination on its validity and compensation.

4. Negotiation and Settlement

In cases where the Minister has notified the First Nation that its claim has been accepted for negotiation, in whole or in part, negotiations with the First Nation will follow. Although the three-year time frame for negotiations begins on the date the Minister notifies the First Nation in writing that the claim has been accepted for negotiation, the negotiation process itself will

not begin until the Minister has received evidence, such as a Band Council Resolution, stating that the First Nation is prepared to enter into negotiations on the basis set out in the notification of acceptance.

A First Nation may choose to refer the claim to the Tribunal for a determination on validity and compensation if after three years a settlement agreement has not been reached or within the three-year negotiation period if both the First Nation and the Minister agree.

Once an agreement has been reached between the First Nation and the federal government, the final settlement agreement is ratified and signed, final releases and compensation are provided and the claim is settled.

Mediation

The vast majority of specific claims that enter into a negotiation process will likely be resolved by a final settlement agreement. The federal government remains committed to the principle that specific claims are best settled through negotiation. Mediation can be a valuable tool to help in settling disputes and the federal government will ensure these services will be available.

Claims over \$150 million

Claims valued over \$150 million require the Minister to obtain a discrete mandate prior to being accepted for negotiation. "Claims over \$150 million" is not a new class or category of claim. These claims are still specific claims as defined in the Specific Claims Policy.

Conclusion

All Canadians benefit from the resolution of specific claims and the resolution of claims outside of the court process is in the best interests of all Canadians. Negotiated settlements are about justice, respect and reconciliation. They are not only about coming to terms with the past and respect for treaties but also about moving forward together to realize a better, shared future.

Find out more

Call (toll free): 1-800-567-9604

(TTY): 1-866-553-0554

Glossary

- "First Nation" means a Band as defined in section 2(1) of the *Indian Act*; or a group of persons that was, but is no longer, an *Indian Act* Band that has retained the right to bring a specific claim under a land claim or self-government agreement.
- "land claims agreement" has the same meaning as in subsection 35(3) of the *Constitution Act, 1982*.
- "Crown" means her Majesty in Right of Canada.
- For the purposes of the section "Grounds for a Claim," "Crown" means as follows:
 - For the purpose of applying paragraphs (a) to (c) in respect of any legal obligation that was to be performed in an area within Canada's present boundaries before that area became part of Canada, a reference to the Crown includes the Sovereign of Great Britain and its colonies to the extent that the legal obligation or

any liability relating to its breach or non-fulfilment became - or would, apart from any rule or doctrine that had the effect of limiting claims or prescribing rights against the Crown because of passage of time or delay, have become - the responsibility of the Crown in right of Canada.

- For the purpose of applying paragraph (d) in respect of an illegal lease or disposition of reserve land located in an area within Canada's present boundaries before that area became part of Canada, a reference to the Crown includes the Sovereign of Great Britain and its colonies to the extent that liability for the illegal lease or disposition became - or would, apart from any rule or doctrine that had the effect of limiting claims or prescribing rights against the Crown because of passage of time or delay, have become - the responsibility of the Crown in right of Canada.
- For the purpose of applying paragraphs (e) and (f) in respect of reserve lands located in an area within Canada's present boundaries, a reference to the Crown includes the Sovereign of Great Britain and its colonies for the period before that area became part of Canada.

Annex A

Minimum Standard

The *Specific Claims Tribunal Act* requires the Minister to post the Minimum Standard on the Internet. The Minimum Standard is replicated here in its entirety. The "Specific Claims Policy" referred to below is this publication, The Specific Claims Policy and Process Guide.

Minimum Standard for Kind of Information

1. Claim Document

The claim document must include:

- a list of allegations based on one or more of the grounds related to the validity of the claim, as set out in the Specific Claims Policy;
- legal arguments supporting each allegation;
- a statement of the facts supporting the allegations;
- a statement that compensation is being claimed; and,
- a list of authorities with citations, including treaties, statutes, case law and law journal articles, that support the allegations (copies not required).

2. Historical Report

An historical report, including references to supporting documents, outlining the factual circumstances surrounding the allegations, must be provided.

3. Supporting Documents

Complete copies of primary documents and relevant excerpts of secondary documents relied upon to support the allegations included in the claim document and referred to in the historical report are also necessary. Further details related to supporting documents are included in the "Form and Manner" Minimum Standard.

Minimum Standard for Form and Manner

1. The documents provided in support of the claim submission must be clearly labelled with the document source and number. Supporting documents must be identified as referenced in the claim document and/ or the historical report and/or the list of all allegations. A separate

document index setting out, at a minimum, the document number, date and archival reference where applicable, must be provided with the claim submission.

2. Documents can be submitted as hard copies and/or on CD-Rom, DVD-ROM, or any other standard mass storage device.
3. The supporting documents must be legible and complete. This may require preparing transcripts of documents that are of poor quality or are difficult to read. Avoid writing on copies of documents included in the submission and ensure that document pages are not cut off, stapled through or added to binders in a manner that obscures the text. Minor technical errors, such as a missing page or illegible photocopy, will be brought to the attention of the claimant so that the error may be addressed by the claimant. This should not, however, affect compliance with the Minimum Standard.
4. Specific claims submissions must be sent by mail or courier to the Director General for the Specific Claims Branch at Indian and Northern Affairs Canada at the following address:

Director General
Specific Claims Branch
Indian and Northern Affairs Canada
Les Terrasses de la Chaudière
10 Wellington Street, Room 1660
OTTAWA ON K1A 0H4

A claim submission cannot be submitted electronically by fax or e-mail.

5. The specific claim submission must include a clear statement indicating that the claim is being submitted on behalf of a "First Nation" as defined in the Specific Claims Policy.

6. Where a specific claim is submitted on behalf of a First Nation as defined in the Specific Claims Policy, the claim submission must include evidence, such as a Band Council Resolution, that the claim is being submitted with the express authority of that First Nation.

1 These terms are defined in the Glossary.

Did you find what you were looking for?

Yes

No

What was wrong?

- ☐ I can't **find** the information
- ☐ The information is hard to **understand**
- ☐ There was an error or something **didn't work**
- ☐ Other reason

Please provide more details

You will not receive a reply. Don't include personal information (telephone, email, SIN, financial, medical, or work details).

Maximum 300 characters

Submit

Date modified: 2021-06-04

This is Exhibit **B** referred to
in the affidavit of

STEFAN MATIATION

Affirmed remotely before me this 23rd
Day of October, 2025

Murphy,
Shelby

Digitally signed by Murphy,
Shelby
Reason: I agree to the terms
defined by the placement of my
signature in this document
Date: 2025.10.23 12:21:14-04'00'

A Commr. & etc.



Specific Claims Branch Status Report on Specific Claims

ONTARIO (2)

Claimant & Claim Name	Current Status & Description	Key Date(s) (yyyy/mm/dd)
Shoal Lake No.40 (BAND-155)		
Treaty 3 Agricultural Benefits	Under Assessment Date Research & Analysis started Alleges the failure to provide suitable Agricultural Lands and Agricultural Support, including equipment, livestock, and seeds, as set out under Treaty 3.	- Date Claim Filed: 2025/09/29 - Research Start Date : 2025/09/30
Wabaseemoong Independent Nations (BAND-150)		
Treaty 3 Annuities Indexing	Under Assessment Date Research & Analysis started Alleges the Crown's failure to augment (index) the annual payments of \$5 to each band member as set out in Treaty 3 in order to offset the impacts of inflation and maintain the purchasing power thereof.	- Date Claim Filed: 2025/06/16 - Research Start Date : 2025/06/17

This is Exhibit C referred to
in the affidavit of

STEFAN MATIATION

Affirmed remotely before me this 23rd
Day of October, 2025

Murphy,
Shelby

Digitally signed by Murphy,
Shelby
Reason: I agree to the terms
defined by the placement of my
signature in this document
Date: 2025.10.23 12:21:33-04'00'

A Commr. & etc.



WITHOUT PREJUDICE

July 23, 2025

Chief Sherry Starr Ackabee
Grassy Narrows First Nation
General Delivery
GRASSY NARROWS ON P0X 1B0

Dear Chief Ackabee:

I am writing to acknowledge receipt of the 3 distinct Grassy Narrows First Nation's claim submission's which were received on July 16, 2025.

Submissions listed below:

- Treaty 3 Agricultural Benefits
- Treaty 3 Annuities Indexing
- Treaty 3 Other Benefits Indexing

The claim submission's will undergo an early review to determine if they meet the Minimum Standard, as required under the *Specific Claims Tribunal Act*.

The early review process will be completed within six months of the date the claim submission's were received. Once this early review process is completed, you will be informed whether the claim submission's have been filed with the Minister of Crown-Indigenous Relations.

The Minimum Standard can be found at the following webpage:

<https://www.rcaanc-cimac.gc.ca/eng/1100100030303/1539617885830>.

Should you have questions about the process or wish to discuss your submission's, please contact Marie-Laurence Daigle, Director, Research and Assessment, marie-laurence.daigle@rcaanc-cimac.gc.ca or 613-698-0776.

.../2

Please note that this notice is written on a “without prejudice” basis and should not be considered as an admission of fact or liability by the Crown.

Please be advised, as well, that our government files are subject to the *Access to Information Act* and the *Privacy Act*.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stefan Matiation", with a small flourish at the end.

for
Stefan Matiation
Director General
Specific Claims Branch
Resolution and Partnerships Sector

c.c.: Bruce Slusar Barrister & Solicitor
Jayme Benson

WABASEEMONG INDEPENDENT NATIONS et al

AND

THE ATTORNEY GENERAL OF CANADA

Plaintiffs

Defendant

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding Commenced at
KENORA

**RESPONDENT'S MOTION RECORD
(MOTION FOR CERTIFICATION)**

ATTORNEY GENERAL OF CANADA

Department of Justice Canada
Civil Litigation Section
50 O'Connor Street, 5th Floor
Ottawa, Ontario K1A 0H8

Per: Heather Thompson (LSO# 68921B)
Geneviève Tremblay-Tardif (LSO
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