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F I L E D	FEDERAL COURT- COUR FÉDÉRALE
July 24, 2023	
Abbie Abe	
VAN	61

Court File No.: T-1417-18

**FEDERAL COURT
CERTIFIED CLASS PROCEEDING**

BETWEEN:

REGINALD PERCIVAL, ALLAN MEDRICK MCKAY,
IONA TEENA MCKAY AND LORNA WATTS

Plaintiffs

and

HIS MAJESTY THE KING

Defendant

Brought pursuant to the *Federal Courts Rules*, SOR/98-106

AFFIDAVIT #2 OF LORNA WATTS

I, LORNA WATTS, of the Town of Kincolith, in the Province of British Columbia, SWEAR THAT:

1. I have personal knowledge of the facts and matters deposed to in this affidavit. Where facts are not within my personal knowledge, I have stated the source of that information, and I believe those facts to be true.
2. I am 67 years old and a survivor of the Boarding Homes Program. This affidavit is further to my affidavit sworn October 28, 2018, in which I described my experience in the Boarding Homes Program. I choose not to repeat that testimony here because it upsets me to discuss it again.
3. My lawyers kept me updated on a regular basis on the developments in the case, and the status of settlement negotiations. My lawyers advised me of their progress such as when we were certified as a class action, and what my duties were as a representative plaintiff who had been appointed by the court.

L.W.

4. I was briefed by telephone about the mediation in Toronto, which I could not attend, and I was pleased that an Agreement in Principle was signed. I was also told by my lawyers when the Settlement Agreement was signed.

5. Since the lawsuit regarding the Boarding Homes class action was filed, I have been telling people in my community about the litigation. Once the Settlement Agreement was signed, I made sure to tell other survivors about it, and told them I thought it was a good idea that they apply for compensation if the Settlement Agreement is approved by the court.

6. My lawyers explained the details and features of the Settlement Agreement to me. I understand that this Settlement Agreement will provide more than just financial compensation to Class Members, such as the \$50 million fund of the Foundation, which will help support activities that contribute to healing, revitalization of Indigenous languages and cultures, and reconciliation. Class Member Supports, such as mental health and emotional support services, will also be given to Class Members who need it when they apply for compensation under this class action. I think this mental health and emotional support will be important for survivors of the Boarding Homes Program to access because of how traumatizing many Class Members' experiences were, and how difficult it will be to discuss these things, even in writing.

7. I am in favour of the Settlement Agreement and I would urge this honourable court to approve it. I, and others like me, have waited a very long time for justice for survivors of the Boarding Homes Program. Many people in our community have passed away waiting for the Settlement Agreement to be signed and approved so that they can claim compensation. I understand there is a process for compensation for those who have already passed away, but it is still difficult knowing that they did not personally have the justice that this Settlement Agreement will bring.

8. I like the compensation structure created by Category 1 and Category 2 that allows someone to quickly apply for a basic compensation and then apply for enhanced compensation later. I know of the problems with the Day School settlement when it came to claiming compensation, and am glad this Settlement Agreement avoids that situation. This compensation

will go a long way to helping survivors of the Boarding Homes Program.

9. I am also glad to see that Class Members can receive individual lawyer help with claims applications, as these lawyers will be given a fee of five percent of a Category 2 Claim, paid for by Canada. I hope this will help more Class Members get assistance and guidance during the claims process.

10. I was not physically present before the commissioner, but was linked with the commissioner utilizing video conference technology. I have sworn this affidavit via video technology in accordance with s. 53(2) of the *Federal Courts Act* and the guidelines from the Federal Court Practice Direction (COVID-19): Update #7 (January 18, 2021).

SWORN VIRTUALLY)
With the Commissioner in Vancouver)
and the witness in Kincolith)
in the Province of British Columbia)
this 21 day of July, 2023)

Lorna. Watts.
Lorna Watts

)
A Commissioner for Taking Affidavits)
in the Province of British Columbia)

Cheyenne Nesto
Klein Lawyers LLP
400-1385 W 8th Ave.
Vancouver BC V6H 3V9.

L.W.

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CERTIFICATE OF COUNSEL – COVID-19 AFFIDAVIT

I, Cheyenne Neszo, am the commissioner of the Affidavit #2 of Lorna Watts, sworn July 21, 2023, by remote technology.

I was satisfied that the process was necessary because it was impossible for the deponent and the commissioner to be physically present together.

July 21, 2023



Cheyenne Neszo