TITLE:	Support for Blood Tribe Class Action
SUBJECT:	Indian Residential Schools Settlement Agreement – Independent Assessment Process
MOVED BY:	Chief Charles Weaselhead, Blood Tribe, AB
SECONDED BY:	Chief Norma Johnstone, Mistawasis First Nation, SK
DECISION:	Carried by consensus

WHEREAS:

A. AFN Resolution 54 – 2011, Support for the Blood Tribe and the Protection of the Rights of Former Indian Residential School (IRS) Students, was passed at the December 2011 Special Chiefs Assembly.

B. As per the courts' supervisory role of the Indian Residential School Settlement Agreement (IRSSA) and mechanisms built-in to protect the settlement class, on November 10, 2011, Crawford Class Action monitors submitted a Request for Direction to Justice Brown and on November 16, 2011, Justice Brown granted an order to investigate alleged violations by Blott & Co. of the Financial Administration Act (FAA) and IRSSA.

C. A December 9, 2011 report outlined the methodology of the investigation, including time frames, and numbers of interviews conducted, as well as research into Blott & Co. real estate holdings. The report referenced the Independent Assessment Process (IAP) Secretariat's previous attempts to investigate IAP applications with Blott & Co. and further that the Law Society of Alberta also conducted an investigation.

D. KPMG forensic auditors conducted a comprehensive audit of all of Blott & Co.'s Common Experience Payment (CEP) and IAP files, retainer agreements and fee arrangements with Honor Walk Ltd., Funds Now Inc., Residential School Healing Society of Canada, David Hamm, Thom Dennome, Bridgepoint Financial Services Inc., and Settlement Lenders of Canada Inc..

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E. A final report from Crawford Class Actions, with specific recommendations, was filed on February 24, 2012.

F. Parties to the IRSSA, including the Assembly of First Nations, made submissions to Justice Brown based on the final report.

G. The AFN Executive Committee appointed a three-person Chiefs Committee that will include Chief Charles Weaselhead, Regional Chief Morley Watson (or designate) and Regional Chief Bill Erasmus (or designate), to provide direction to AFN counsel on the Blott & Co investigation and potential remedies and to ensure the claimants' rights are protected in the process.

H. On June 5, 2012, Justice Brown ordered that Blott & Co and Associates will no longer be involved in the Independent Assessment Process and appointed Justice Ian Pitfield to administer Blott files.

I. On July 5, 2012, David Blott Professional Corporation, Blott & Co and David Blott have filed a notice of appeal to the Court of Appeal for B.C. that Justice Brown's June 5, 2012 order be set aside, that the March 14, 2012 application by the court monitor Crawford Class Actions be dismissed, and seeks costs of the appeal and application.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Direct the AFN to fully support the Blood Tribe to file a class action against David Blott Professional Corporation, Blott & Co., David Blott, Honor Walk Ltd., Funds Now Inc., Residential School Healing Society of Canada, David Hamm, Thom Dennome, Bridgepoint Financial Services Inc., and Settlement Lenders of Canada Inc.
2. Direct the AFN to provide a list of lawyers to the Blood Tribe that have experience with class actions.
3. Direct the AFN to support the Blood Tribe in their request for reasonable legal costs and disbursements in efforts to protect the interests of IAP claimants.
4. Direct the AFN to support former Blott & Co claimants who wish to re-open their claims who have received settlements or claims that were rejected due to inadequate preparation, denial of interpreters and lack of follow up, as their claims may have been compromised and claimants require a fair hearing based on accurate information.
5. Direct the AFN to urge Health Canada to fully support the need for adequate health supports as the claimants impacted through this investigation are experiencing extreme frustration and that the risk of further damage be considered central in following up to this important issue.

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