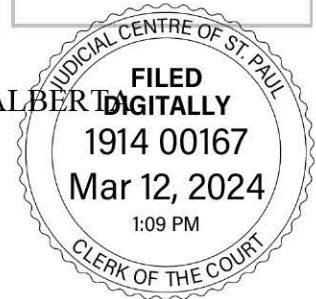


Clerk's Stamp

COURT FILE NUMBER 1914 00167
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE ST. PAUL
PLAINTIFF/APPLICANT CYNTHIA IRIS YOUNGCHIEF
DEFENDANTS/RESPONDENTS THE ATTORNEY GENERAL OF CANADA, HER
MAJESTY THE KING IN RIGHT OF ALBERTA,
DIOCESE SANCTI PAULI, ST. LOUIS PARISH and
LAKELAND ROMAN CATHOLIC SEPARATE
SCHOOL DISTRICT NO. 150



DOCUMENT **BRIEF OF THE DEFENDANTS / RESPONDENTS,
THE DIOCESE OF SAINT-PAUL AND ST. LOUIS
PARISH FOR THE CERTIFICATION
APPLICATION RETURNABLE APRIL 22, 2024**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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PARISH

Table of Contents

I. Submissions:.....	3
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I. Submissions:

1. There is a misnomer in the style of cause in this Action: the Amended Statement of Claim filed August 27, 2020 identifies one of the Defendants as “Diocese Sancti Pauli” whereas that Defendant’s legal name is “Le Diocèse de Saint-Paul” and/or “The Diocese of Saint-Paul” (the “**Misnomer**”).
2. After the filing of the Plaintiff’s Supplementary Brief in this matter on November 28, 2023, The Diocese of Saint-Paul (“**DOSTP**”) and St. Louis Parish (the “**Parish**”) came to an agreement with the Plaintiff regarding the proposed Certification of this Action. Specifically, the Plaintiff has agreed to narrow the terms and particulars of Certification as follows, and DOSTP and the Parish have agreed that they shall not oppose the Certification on the following, narrowed terms:
 - a. The “Survivor Class” shall be defined as “all Aboriginal persons, wherever they may now reside or be domiciled, who attended Ecole Notre Dame Elementary School and/or Ecole Notre Dame High School in Bonnyville, Alberta, during the Class Period”;
 - b. There shall be no certification in respect of the “Family Class,” and the within Action shall not proceed further in respect of the Family Class;
 - c. The Class Period shall be the period commencing at start of the school year in 1966 and ending at the end of the school year in 1974, and if more specific dates are identified and proposed by any of the parties for the start of the 1966 school year and/or the end of the 1974 school year, the Diocese and the Parish shall not oppose those more specific dates;
 - d. The Representative Plaintiff shall be Ms. Cynthia Iris Youngchief;
 - e. The common questions of law or fact in this proceeding shall be limited to and certified as follows:
 - i. Whether and to what extent, each of the Defendants were involved in the operation and management of the schools;
 - ii. Whether each of the Defendants owed a duty to the Plaintiffs; and
 - iii. Whether there was a breach of that duty;
 - f. Grey Wowk Spencer LLP shall be appointed as Class Counsel for the Survivor Class;
 - g. There will be no costs payable by either the Diocese or the Parish in respect of this Certification Application;
 - h. If Certification is granted by this Honourable Court, the Plaintiff shall amend her Amended Statement of Claim to correct the Misnomer and to reflect the agreed terms set out above at bullets a, b, c, and e (no amendment being required the items at bullets d, f, or g).

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 11th day of March, 2024.

McCUAIG DESROCHERS LLP

Per:



C. Vincent Kurata
Counsel for the Defendants/Respondents,
The Diocese of Saint-Paul &
St. Louis Parish