



FREQUENTLY ASKED QUESTIONS

Claim registration period is NOT OPEN

FAQs: Settlement Information

Question 1. Has the settlement been approved?

The Notice Approval Hearing was on June 20, 2024. It provided Notice approval of the Settlement Agreement providing a Class Member the opportunity to Object to or Opt-Out from the Settlement.

On September 5 and 6, 2024, the Court will consider whether the settlement of the Class Actions is fair, reasonable, and in the best interests of the Class Members, and if approved, when claims can begin to be submitted.

Question 2. How much is the Settlement Amount?

In the Settlement Agreement with the Government of Manitoba agreed to pay \$445,200,000 for the children-in-care at Indigenous and Non-Indigenous CFS Agencies. This amount includes lawyer ("Class Counsel") fees and expenses, and Administration costs.



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FAQs: Class Members

Question 3. How do I know if I can be part of the Class Action Settlement?

The Class Action Settlement is for Provincially Funded current and former children-in-care (Wards) of Indigenous and Non-Indigenous CFS Agencies between January 1, 2005, and March 31, 2019.

Question 4. How do I know if I was a Provincially Funded Ward?

The Claims Administrator does not have the list of those Wards who were Provincially Funded yet.

Once the Court provides approval for the Claims Administrator to receive these confidential lists, the Claims Administrator will be able to determine if a Ward was Provincially Funded. The Court Hearing for this approval is current scheduled in September 2024.

In the meanwhile, you may consider contacting your current or former CFS Agency to determine if you were Provincially Funded.

Question 5. What if I was only a Ward before January 1 2005 or after March 31 2019?

If you were not a Ward between January 1, 2005 and March 31, 2019, then you are not eligible for compensation.

Question 6. What if I was a Ward straddling the beginning or ending dates?

If you were a Ward that straddled either January 1, 2005 or March 31, 2019 periods, you will only be potentially eligible for compensation during the time you were a Ward between January 1, 2005 and March 31, 2019.



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FAQs: Objection and Opt-out Information

Question 7. What does Objection mean? How do I Object?

If a Class member disagrees with the proposed Settlement Agreement offering compensation to Class Members, or the legal fees sought by Class Counsel, the Class member can voice their objection to the Court by completing and submitting to the Claims Administrator the Objection Form (found at www.CSASettlement.com) no later than August 26, 2024.

An Objection Form will need to be completed and submitted to the Claims Administrator. The Objection Form includes Class Members' reasons for objecting.

All Objection Forms will be filed with the Court for the Court Approval Hearing on September 5-6, 2024.

If there are many Objections, then the Court may question the validity of the Settlement Agreement.

Question 8. What does Opt-Out mean? How do I Opt-Out?

Class Members who do not want to participate in the class actions must formally "opt-out". To opt out you must complete and submit to the Claims Administrator the Opt-Out Form (which can be found online at www.CSASettlement.com) no later then August 26, 2024.

A Class Member who opts out will not be entitled to participate in the Flette/Lavallee Class Actions, will not be bound by the Settlement once approved by the Court, and will not be eligible for any recovery in the Flette/Lavallee Class Actions. A Class member who opts out may be eligible to pursue a claim in a separate proceeding. If you wish to pursue your own claim in a separate proceeding, you should consult with a lawyer immediately.

If there are many Opt-Out, then the Court may question the validity of the Settlement Agreement.



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FAQs: Filing a Claim

Filing a Claim

Question 9. When can I file a Claim?

On September 5 and 6, 2024, the Court will consider whether the settlement of the Class Actions is fair, reasonable, and in the best interests of the Class Members, and if approved, when claims can begin to be submitted.

Once the Claims Registration Period starts, a Claims Registration Form will be available for download or completion online at www.CSASettlement.com, or you can submit a Claims Registration Form directly to the Claims Administrator (EXG).

Question 10. Can I file a Claim?

If you are 18 years old or older, you can file a claim yourself or your legal representative who may include:

- Power of Attorney for a Class Member
- Executor(s) or Administrator(s) for the Estate of a Class Member
- Public Guardian and Trustee
- A CFS Agency with wardship of a Class Member

If you are under 18 year old, your legal Guardian must file a claim on your behalf who may include:

- Parent, Grandparent, etc.
- Executor(s) or Administrator(s) for the Estate of a Class Member
- Power of Attorney for a Class Member
- Public Guardian and Trustee



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- A CFS Agency with wardship of a Class Member
- Any other individual or entity as may be accepted by the Claims Administrator.

Question 11. Do I have to be 18 years or older to file a Claim?

Yes. Either you or your legal representative.

Question 12. What info do I have to provide?

You cannot submit the CRF at this time.

Once the Claims Registration Period opens, you will need to complete the Claims Registration Form, provide a current (not expired) Government-Issued ID and a listing of the CFS Agencies you were a Ward (if you know that information).

A Claimant will not be assessed as eligible without providing:

- a valid Government-Issued ID (current not expired)
- a Declaration of Guarantor for Proof of Identify Form
- a letter Certifying the identity of the Claimant from a:
 - First Nation membership clerk;
 - CFS Agency; or
 - social service agency;

documents that may be considered in the sole discretion of the Claims Administrator including but not limited to:

- Driver's License: Issued by any Canadian province or territory.
- Passport: Canadian or foreign, must be valid.
- First Nation/Indigenous Government ID: Issued by any First Nation/Indigenous Government.



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- Provincial or Territorial Identification Card: Issued by any Canadian province or territory, including Manitoba Identification Card.
- Permanent Resident Card: Issued by Immigration, Refugees and Citizenship Canada (IRCC).
- Secure Certificate of Indian Status (SCIS) Card: Issued by Indigenous Services Canada.
- Métis Citizenship and Harvester Identification Card: Issued by the Manitoba Metis Federation.
- Military Identification Card: Issued by the Canadian Armed Forces.
- Canadian Firearms License (Possession and Acquisition License): Issued by the Royal Canadian Mounted Police (RCMP).
- Enhanced Driver's License (EDL): Issued by Manitoba Public Insurance (MPI).

Other: Additional supporting ID may be provided including Birth Certificate, Fishing License, Hunting License, Prison/Correctional ID, Manitoba Health Care.

Question 13. Can more than one person file a claim for me?

No. Only one Claim will be accepted for each Class Member. If you have a legal representative, that person can file a Claim on your behalf.



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Question 14. What if my child who is or was a Ward does not have ID?

Once the Claims Registration Period opens, you, as the legal Guardian of the Ward, will need to complete the Claims Registration Form and provide a Government-Issued ID and a listing of the CFS Agencies the individual was a Ward (if you know that information) as well as documentation showing you are the Ward's legal guardian.

Question 15. What if the Class Member has died?

The Class Member's Executor(s) or Administrator(s) for the Estate of a Class Member can file a Claim.

Proof of Probate or Letters of Administration will be required.

Claim Registration Form

Question 16. Where do I get the forms that I need to submit a claim?

You cannot submit the CRF at this time.

Once the Claims Registration Period opens, as Claims Administrator, we will provide multiple places for you to get the Claim Registration Form you need for the Claims Administrator to assess your potential eligibility to participate in the Class Action Settlement Funds.

You will be able to:

- **DOWNLOAD** the Claim Registration Form.
- Complete an **ONLINE** version of the Claim Registration Form and upload supporting documents.
- Request the Claim Registration Form by **EMAIL**.
- **MAIL** you the Claim Registration Form.
- **FAX** you the Claim Registration Form.
- **PICK UP** the Claim Registration Form at our office between 8:30 am to 4:30 pm.



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Information Line

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Question 17. How will I know the Claims Administrator received my Claim Registration Form?

Upon completion of the assessment of your Claim, the Claims Administrator will provide you with a Notice of Eligibility or Notice of Ineligibility along with a unique Claim Number that you can use to make inquiries on the status of the assessment of your Claim.



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CFS Agencies

Question 18. Can my CFS Agency help me out?

Yes.

All the CFS Agencies will be provided financial support to assist potential Claimants in completing the Claims Registration Form once the Claims Registration Period opens.

Question 19. Who can help me fill out and submit a CRF?

All the CFS Agencies will be provided financial support to assist potential Claimants in completing the Claims Registration Form once the Claims Registration Period opens.

In addition, the Claims Administrator will be able to assist you in completing the Claims Registration Form.

Question 20. Do I have to contact my CFS Agency to find out when and where I was a Ward?

No. Once the Claims Registration Period opens, after you complete and submit the Claim Registration Form, the Claims Administrator can obtain your CFS Agency information.

You can complete the Claims Registration Form with either where you think you were and when a Ward, or there will be a Checkbox that states you are not sure.

The Claims Administrator will cross reference the other information on your Claims Registration Form to CFS Agency information to determine where and when you were a Ward.

If the Claims Administrator needs additional information from you, the Claims Administrator will contact you directly.



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Question 21. What if I do not remember or am unsure when and where I was a Ward?

Once the Claims Registration Period opens, by completing and submitting the Claim Registration Form, you can estimate the months/years you were a Ward and also the Claims Administrator can obtain your CFS Agency information.

The Claims Administrator will cross reference the other information on your Claims Registration Form to CFS Agency information to determine where and when you were a Ward.

If the Claims Administrator need additional information from you, the Claims Administrator will contact you directly.

Question 22. What if I was with different CFS Agencies?

Once the Claims Registration Period opens, when you complete and submit the Claims Registration Form, you can list all the different CFS Agencies you were in care.

Any potential compensation that may be assessed is based on all your Placements at any of the Indigenous and Non-Indigenous CFS Agencies.

Question 23. What if I do not have a permanent address?

Once the Claims Registration Period opens, it is recommended that you contact your CFS Agency, who will assist you in completing the Claims Registration Form, including what address you may use.



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Other

Question 24. What if I am under 18 years old and my parent or legal guardian does not submit a Claims Registration Form for me?

The Claims Administration Procedure directs the Claims Administrator that three months prior to the end of the Claims Registration Period, for any Wards under 18 years old who have not filed a Claims Registration Form, or who the Claims Administrator is aware has died, the Claims Administrator is to contact and provide that information to the Public Guardian and Trustee who may choose to file a claim on behalf of these Class Members.

If the Public Guardian and Trustee files a Claim on your behalf, when you turn 18 years old, you can contact the Public Guardian and Trustee to work with them to obtain your potential compensation held in trust.

Question 25. Do I have to pay anything in order to submit a Claim?

No. You do not have to pay anything to participate in the Class Action Settlement, submitting your Claim or receiving compensation.

If you choose to engage your own Legal Counsel or incur any out-of-pocket expenses to prove your Claim, then you will be responsible for those costs.

Question 26. Do I need to consult with my Legal Counsel to file a claim?

It is up to each Claimant to involve their own Legal Counsel at any stage of the Claims Administration process.

You are not required to have Legal Counsel to submit a claim.



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Question 27. What if I am assessed by the Claims Administrator to be Ineligible?

Once the Claims Registration Period opens, you file a claim and your claim is assessed, if your claim is determined to be ineligible by the Claims Administrator, upon receipt of your Notice of Ineligibility, you will have 90 days to provide additional documentation to the Claims Administrator who will then consider the additional documentation and potentially reassess your Claim as Eligible or remain as Ineligible.



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FAQs: Compensation and Payouts

Question 28. How is my compensation determined?

If the Claims Administrator assesses your Claim as eligible, the Claims Administration Procedure has specific criteria to determine Compensation based on a number of factors including the CSA Base Amounts when and for the number of months of your Placement(s) at the CFS Agencies.

Question 29. How do I get my money?

If the Claims Administrator assesses your Claim as eligible, you will be issued a payment either by cheque or direct deposit based on your choice.

Question 30. How long after I submit my claim until I get paid?

If the Claims Administrator assesses your Claim as eligible, a potential payment will depend on the number of Claims received by the Claims Administrator and how long it takes to assess your Claim.

Payment to Eligible Claims will be made every Friday during the Claims Administration Period.



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Do I get the full amount in one payment?

If the Claims Administrator assesses your Claim as eligible, and you are over 18 years old, you will receive a Settlement Payment or your Compensation will be held in trust (as a Trust Certificate) based on direction you have provided to the Claims Administrator.

If you choose to have your Compensation held in trust, you will have options to receive your payment as you have requested in your Trust Certificate:

1. As a Lumpsum; or
2. Continue to have the Claims Administrator hold your potential compensation in trust and / or receive a portion of your potential compensation annually, quarterly or months over a three-year period.

Question 31. I am under 18 years old, when can I get my compensation?

If the Claims Administrator assesses your Claim as eligible, the Claims Administrator will hold any potential compensation for you in trust until you are 18 years old.

At that time, you will have options to receive your payment:

1. As a Lumpsum; or
2. Continue to have the Claims Administrator hold your potential compensation in trust and / or receive a portion of your potential compensation annually, quarterly or months over a three-year period.



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Question 32. What if I believe my compensation should be more than has been assessed by the Claims Administrator?

If the Claims Administrator assesses your Claim as eligible, upon receipt of your Notice of Eligibility and Settlement Payment, you will have 90 days to provide additional documentation to the Claims Administrator who will then consider the additional documentation and potentially reassess your compensation amount.

Question 33. Am I guaranteed to receive compensation?

No. The Claims Administrator uses the court-approved Claims Administration Procedure to assess a Claimant's eligibility and/or the amount the Claimant may be compensated based on the evidence provided by the CFS Agency and/or the Claimant.

Question 34. What if I was a Ward for less than one month?

If the Claims Administrator assesses your Claim as eligible, the Claims Administration Procedure provides a one-time payment of \$150 if all of the Eligible Claimant's placements were less than 30 days each during the Class Period.

Question 35. If I am the legal guardian of a child or adult, will the payment be issued to me?

No. Any potential compensation payments will only be made in the name of the Class Member (current or former Ward).



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Question 36. Whose bank account can the direct deposit be deposited?

Any potential compensation payments that will be directly deposited will only be made to a bank account in the name of the Class Member (current or former Ward).

Question 37. What if I do not have a bank account?

The Claims Administrator will work with you to assist you in finding resources relating to how to deposit any compensation you may receive.

Question 38. Can I get help managing my finances?

The Claims Administration Procedure provides for Special Advisory Boards to provide recommendations to the Claims Administrator as to what resources may be available for Eligible Claimants who request information about financial resources available to provide them assistance.

Question 39. Will any amounts I receive for compensation affect the other social assistance amounts I receive?

At this time, the Province of Manitoba is planning to enact regulations that any potential compensation you may receive from this Settlement will NOT affect your other social assistance amounts you may receive.

If you are not living in Manitoba, the Province of Manitoba is planning to write to the other provinces in Canada to request the same.



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Question 40. Will I have to pay taxes on the compensation?

You will have to consult with a tax accountant about your personal circumstances relating to any potential compensation you may receive and its tax consequences.



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FAQs: Other Information

Question 41. How do I sign up for updates?

www.CSASettlement.com

Question 42. How are the Class Counsel and Claims Administrator fees determined?

Class Counsel fees are to be approved by the Court.

Claims Administrator's fees are to be approved by the Court, and are based on the number of Class Member Claims received.

Question 43. What is the difference between the Indigenous and Non-Indigenous Settlement, and the Métis Claims Administration Procedure?

Metis has a separate Claims Administration process.



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Question 44. Can I contact the lawyers to ask questions about the Settlement Agreement?

Yes. The Court has appointed the following two law firms to represent you and all other class members as "Class Counsel". You will not be charged for contacting these lawyers with questions.

Cochrane Saxberg LLP is co-counsel for the Lavallee and can be reached at 1-204-594-6688 or csa@cochranesaxberg.com.

DD West is counsel for Flette and co-counsel for Lavallee and can be reached at 1-204-421-8655 or csa@ddwest.com.