

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

Nº.: 500-17-120468-221

SUPÉRIOR COURT

(Civil Division)

KAHENTINETHA

KARENNATHA

KARAKWINE

KWETTIIO

OTSITSATAKEN

KARONHIATE

Plaintiffs

vs.

SOCIÉTÉ QUÉBÉCOISE DES INFRASTRUCTURES

ROYAL VICTORIA HOSPITAL

MCGILL UNIVERSITY HEALTH CENTRE

MCGILL UNIVERSITY

VILLE DE MONTRÉAL

STANTEC INC.

ATTORNEY GENERAL OF CANADA

Defendants

and

**OFFICE OF THE INDEPENDENT SPECIAL
INTERLOCUTOR FOR MISSING CHILDREN AND
UNMARKED GRAVES AND BURIAL SITES
ASSOCIATED WITH INDIAN RESIDENTIAL
SCHOOLS - 225 & 227 – 50 Generations Drive, Six
Nations of the Grand River Territory in the city of
Ohsweken and the province of Ontario, N0A 1M0**

Conservatory Intervenor

**AFFIDAVIT OF KIMBERLY R. MURRAY, INDEPENDENT SPECIAL
INTERLOCUTOR**

Introduction

I the undersigned, Kimberly R. Murray, carrying on my role as the Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools (“**Special Interlocutor**”), domiciled at 225 & 227 – 50 Generations Drive, Six Nations of the Grand River Territory in the City of Ohsweken and the Province of Ontario.

1. I submit this affidavit for the purpose of assisting the Honourable Court with the Application filed by the Kanien’keha:ka Kahnistensera (the “**Plaintiffs**”) on August 28, 2023 relating to breaches of the Settlement Agreement in this matter which was homologated on April 20, 2023 (the “**Agreement**”).
2. This affidavit adopts and relies on my previous affidavit, filed on September 12, 2023, in response to the Plaintiffs’ Modified Application for the Emergency Hearing held on September 14, 2023.
3. My objective with this affidavit is to present my observations resulting from the archaeological investigation at the New Vic site and which I view has breached the spirit and terms of the Agreement.
4. In my role as the Independent Special Interlocutor, I must be the voice for Indigenous children who were victims of the shocking crimes and abuse that occurred at Indian Residential Schools, and other institutions, including healthcare institutions, that were related to Indian Residential Schools. This includes the Allen Memorial Institute (“**AMI**”) and the Royal Victoria Hospital (“**RVH**”).

5. My role in this litigation is as an Intervenor for Conservatory Purposes, which involves drawing on my evolving expertise and experience in assisting Indigenous communities and non-Indigenous institutions in conducting searches for unmarked burials and investigations into missing children that did were never returned home.
6. Pursuant to my mandate, I am required to produce both an interim report and a final report. Attached hereto as **Exhibit ISI-1**, is my June 2023 Interim Report entitled *Sacred Responsibility: Searching for the Missing Children and Unmarked Burials* (“*Sacred Responsibility Report*”). This Interim Report offers relevant context that can assist the Parties and this Honourable Court in determining what is required to complete a proper investigation for the burials of Indigenous children and for interacting with Indigenous communities during the process.
7. In particular, Part 1 of the *Sacred Responsibility Report* details why the Attorney General of Canada acknowledged the need to appoint an Independent Special Interlocutor. My mandate is to advance investigations for missing Indigenous children and burial sites, and to support the truth-finding processes currently underway to locate, investigate, recover, and protect the children’s burials. My Mandate also includes supporting Indigenous-led processes to uncover the truth and search for accountability and justice.
8. In Part 4, I describe how Canada’s legal framework and institutions have fostered a culture of impunity, secrecy, and concealment, by which the law is used to stop the historical atrocities and genocide of Indigenous people from coming to light.
9. Part 6 of the Report adds context to the meaning and necessity of an Indigenous-led framework, which stems from Article 18 of the *United Nations Declaration on the Rights of Indigenous Peoples*, that affirms the right of Indigenous peoples to participate in decision-

making in matters which affect their rights. This section of my Report highlights the significance of pursuing an Indigenous-led process for the search and recovery of the missing children and unmarked burials.

Breach of the Agreement and Best Practices

10. Ultimately, it is clear to me that the Respondent Parties to the Agreement, McGill University (“**McGill**”) and the Société Québécoise des infrastructures (“**SQI**”), have breached the spirit and intent of the Agreement both explicitly and implicitly. The impact of these breaches has serious implications that include tainting the credibility of the entire investigation and compromising the investigation’s ability to find the truth.
11. This affidavit will reference the breaches that are most concerning and demonstrate how an Indigenous-led process, that includes a recognition of the Expert Panel’s authority, are the ideal solutions to the issues facing this investigation.
12. Attached hereto as **Exhibit ISI-2** is *The Bournemouth Protocol on Mass Grave Protection and Investigation* (the “**Bournemouth Protocol**”), published in 2020 by Bournemouth University in conjunction with the International Commission on Missing Persons. The *Bournemouth Protocol* provides guidance on legal rules, and informed practice methods to support investigations and the protection of mass grave sites that serve to inform the best practices.¹

¹ The *Bournemouth Protocol* defines “mass grave” as including “a site or defined area containing a multitude (more than one) of buried, submerged or surface scattered human remains (including skeletonized, commingled and fragmented remains), where the circumstances surrounding the death and/or body-disposal method warrant an investigation as to their lawfulness”. Exhibit ISI-2, p. 4

a) Dismissal of Panel

13. My intent in participating in the mediation process that reached the Agreement was for the creation of an Indigenous-led process that included an impartial Expert Panel that would oversee the investigation into potential of unmarked burials at the site of the AMI and the RVH. My perception was that, in addition to being Indigenous-led, archaeological best practices would dictate the process as recommended by the Expert Panel, with open communication, respect, and collaboration between the Plaintiffs, the SQI, and McGill.
14. The rationale for actively involving the Plaintiffs in this investigation is identified as a best practice of the Canadian Archaeological Association (“CAA”). Some of these best practices include respecting victims, avoiding unnecessary trauma, and respecting Indigenous protocols and customs (see further the CAA’s Pathways document in **Exhibit SI-25** of my affidavit dated October 7, 2022).
15. The purpose of my intervention was to assist the parties in conducting an investigation that can be seen as credible, properly done, and one that the Plaintiffs and Indigenous people and communities can trust. Unfortunately, this process has lacked adequate collaboration, and timely consultation, from SQI and McGill to the Plaintiffs and to me as the federally appointed Special Interlocutor for Missing Children and Unmarked Burials. Clearly, SQI and McGill have assumed complete control and management over this investigation, as demonstrated through the following actions:
- I. A lack of collaboration and timely communication with the Kanien’keha:ka Kahnistensera, as detailed in the Plaintiffs’ materials. This includes neglecting the Plaintiff’s concerns about the security of their cultural monitors, ignoring requests for consultation about contractors or archaeological work, refusing to share data from the

execution of Techniques such as the GPR, and proceeding with excavation without informing cultural monitors.

II. Disbanding the Expert Panel on August 2, 2023, before the execution of all of the search Techniques, the completion of the archival research, and the implementation of their recommendations in the Final Mapping Report of July 17, 2023. The disbandment of the Expert Panel has effectively caused McGill and the SQI's chosen contractors and employees to assume a role that the Expert Panel was created to fulfill by the Agreement, with no oversight for implementation.

16. The intention of the Expert Panel's oversight was to create the opportunity for the SQI and McGill to proceed with their project, while balancing the concerns and interests of the Plaintiffs. The existence of the Expert Panel provided assurances that Indigenous interests and archaeological best practices would factor into decisions made by the Defendants, in addition to their development interests. The creation and reliance on the Expert Panel was a crucial factor that weighed heavily on my decision to endorse the Agreement during the Judicial Settlement Conferences in April 2023.

17. As reflected in the Plaintiff's Exhibits **MM-66** and **MM-67**, the majority of Expert Panel members themselves clearly understood their mandate extended beyond the filing of their Final Mapping Report. Expert Panel members Dr. Adrian Burke and Dr. Lisa Hodgetts opposed the Expert Panel's termination on August 2, 2022, immediately following the resignation of Ms. Justine Bourguignon-Tétreault. They also raised concerns about the SQI's failure to implement their recommendations, which is a breach of s.13 of the Agreement.

18. The spirit of the Agreement implies a broad role for the Expert Panel to assess developments of the investigation, review raw data, and be present to oversee disagreements in decisions to

ensure best practices are followed, ensure open communication, and maintain the credibility of the investigation.

19. This involves serving long past the filing of their Mapping Report. Their recommendations involve the execution of Techniques that may vary depending on whether the circumstances of the investigation change or unexpected realities surface. This aspect of the Expert Panel's role is more crucial than ever, recognizing that the situation at the New Vic site will continue to deteriorate without intervention from an expert source to provide recommendations or suggestions on next steps.

20. In reviewing the Plaintiffs' materials, it is clear that McGill, the SQI, and their chosen contractors, are controlling the investigation without collaboration or consultation, with the Indigenous parties. This is a breach of the "spirit of reconciliation", which is outlined in the preamble of the Agreement.

21. The disbanding of the Expert Panel has undermined my faith in the investigation and has caused severe disruptions, including:

I. McGill and the SQI have effectively dissolved the independent and impartial body appointed to oversee the investigation. The Plaintiffs and I have no recourse, while the SQI or McGill now have the freedom to make every decision about the course of this investigation, without the relevant expertise.

II. Issues regarding the protection of artifacts, and the lack of inclusion of the cultural monitors at the New Vic site have reached the point of a crisis. Evidence has been recovered and treated contrary to best practices as set out by the CAA, and the Bournemouth Protocol. This harms the integrity of the evidence and the scene as a

whole and has profound implications for the truth finding that Indigenous people and communities are wanting in relation to happened to their loved ones.

III. As stated by the SQI's counsel Mtre. Vicky Berthiaume in her October 6, 2023, letter to the Court, the situation at the New Vic site is evolving rapidly. All developments at the site are being managed by the SQI, McGill, and their contractors unilaterally. This is the opposite of what is set out and intended in the Agreement. Before its disbandment, the Expert Panel altered their recommendations based on new discoveries and developments. Since August 2, 2023, the Expert Panel has been denied the ability to review data on the Ground Penetrating Radar ("GPR") survey and conclusions in the Geophysical Survey for Archaeological Investigation (the "GeoScan Report") dated July 26, 2023 (**Exhibit MM-13**) as well as a second GeoScan Report dated September 29, 2023 (attached hereto as **Exhibit ISI-3**), despite repeated requests for such information.

IV. The Expert Panel, if present, could also assist with logistical challenges at the New Vic site, such as the relocation of the piles of soil that were taken from Zone 11 on October 2, 2023 to avoid the distress and alleged confrontations that have been documented due to perceived mismanagement. By making unilateral decisions about the relocation of potential evidence of unmarked burials or remains, McGill, the SQI, and their contractors are causing harm to the process that is irreparable.

b) Defendants' Interpretation of Panel's Mandate

22. In McGill's arguments at the September 14, 2023, Emergency Hearing they suggested that the Expert Panel's mandate expired after the Mapping phase which concluded on July 17, 2023. This was not my understanding of the Agreement when I endorsed it.

23. The timeline of the investigation should be determined by the search for the truth of whether there are bodies potentially present at the New Vic site. Anything less in contrary to reconciliation.
24. For example, as with any similar research, there are steps required for the investigation to evolve based on new discoveries. In the first few months of the New Vic site investigation, Historical Human Remains Detection Dogs (“**HHRDD**”) detected the odour of human remains. The GeoScan Report of July 26, 2023, identified nine areas of “potential” signatures which could be human remains, and dozens of “unknown” signatures which could be unmarked burials. The GeoScan Report of September 29, 2023, identified an additional signature of a potential burial, along with several unknown signatures.
25. The Report of Dr. Scott Hamilton, included in my September 12, 2023, affidavit as **Exhibit KM-5**, notes that GeoScan used a conservative approach of labelling potential anomalies as burials to avoid false positives. These “unknown” signatures could be buried children, or burials without a coffin. It requires delicate and further investigation to determine whether these anomalies are related to Indigenous children who were not returned home.
26. My understanding of the Agreement is that the Expert Panel was retained to oversee the archaeological investigation, and their role included responding to the inevitable developments that we have seen take place. To dismiss the Expert Panel as these developments are occurring is a puzzling interpretation of the Agreement.
27. It appears that McGill had a similar understanding of this process prior to the disbanding of the Expert Panel. In a letter to the Court dated June 14, 2023, McGill wrote that the HHRDD discoveries constituted an “unexpected discovery” that would require the advice of the Expert Panel. The letter is attached hereto as **Exhibit ISI-4**.

28. This interpretation of McGill's understanding of s.17 of the Agreement supports the claim that the Expert Panel should be providing recommendations on any discoveries, such as HHRDD findings, GPR anomalies, or the finding of artifacts. McGill and SQI's refusal to recognize the Expert Panel's authority jeopardizes the entire investigation because of the Techniques and excavation being pursued unilaterally by McGill, the SQI. That is a breach of the Agreement and major provocation.

c) Failure to Follow Expert Panel Recommendations for Addition of a Forensic Expert

29. The terms of the Agreement, specifically s.13, stipulate the Expert Panel's recommendations are intended to be binding on all Parties. It was anticipated that the recommendations of the Expert Panel would need to be updated and adjusted throughout each phase of the search.

30. It is apparent that the treatment of artifacts and their approach to the archaeological excavations by contractors hired by McGill and the SQI have resulted in serious concerns about the treatment of a potential crime scene(s), specifically regarding the chain of custody and evidence.

31. The *Bournemouth Protocol* advocates for a "do no harm" approach to the protection and investigation of potential mass grave sites (**Exhibit ISI-2**, p.6). This is identified as the first overarching operating principle in the *Bournemouth Protocol* that is the central tenet of any investigation where cultural sensitivities are respected to protect physical and emotional safety.

32. Protection of the site is "paramount to preserve the integrity of the remains and evidence and the lines of inquiry," which involves protecting not only the Royal Victoria Hospital site and evidence against tampering, but also provides access to documentation and other information relevant to the investigation (**Exhibit ISI-2**, p.8).

33. Contrary to the guidance provided by the *Bournemouth Protocol*, on July 10th and 12th 2023, for example, contractors were viewed by the Plaintiffs improperly handling artifacts, as depicted in **Exhibits MM-55 and MM-56**. Artifacts found as a result of this investigation should not be touched with bare hands. Instead, they should be placed in proper packaging and properly recorded.
34. The Expert Panel clearly took issue with this lack of professionalism, and recommended on July 26, 2023, that a forensic expert be appointed to oversee these sorts of issues (**Exhibits MM-8 and MM-9**).
35. To date, the SQI and McGill have not implemented the recommendation, and the issues on the New Vic site are getting worse.
36. On September 28, 2023, I became aware of discoveries of artifacts at the Site including bones that were put into a paper bag the previous day. I wrote a letter, attached hereto as **Exhibit ISI-5**, expressing my shock at the lack of protocol and notification, and how that sort of conduct aggravates mistrust and elevates anxieties for all.
37. It took until October 5, 2023, to receive a formal report of these developments. A week's delay in communicating crucial information is unacceptable. I am aware that these developments were even covered by CityNews three days before I received the report. (attached hereto as **Exhibit ISI-6**)
38. The Plaintiffs' Amended Application also includes concerning details about the sifting, relocation, exposure and mistreatment of soil that was excavated during the investigation. It details demolition work within the HHRDD 10-metre radius contrary to the Expert Panel's recommendations. These incidents are breaches to both the Agreement and the *Bournemouth Protocol*. In any archaeological investigation, let alone a forensic investigation into potential

unmarked burials, the integrity of the soil is paramount. Any sifting, relocation, or treatment of the soil must be done with the utmost care to preserve the evidence and stratigraphy.

39. Reports of mistreatment of the soil, artifacts, and delays in communicating this information is not just disheartening and provocative, they are a breach of the Expert Panel's recommendations. A search for potential unmarked burials is inherently a forensics-oriented investigation. It is not a typical archaeological investigation in a construction and urban context.

40. In these sorts of investigations, and in the truth-seeking spirit of the Agreement, a crime scene should be assumed until proven differently. A search for potential burials has different goals and objectives, such as chain-of-command protocols. For the SQI and McGill to ignore expert oversight on this topic, despite clear direction from the Expert Panel, is a breach of the Agreement.

d) Recommendations in Response to GPR Reports

41. In my affidavit of September 12, 2023, I outlined my concerns with the Expert Panel being denied the opportunity to interpret the GeoScan Reports and the inability to access the underlying GPR data.

42. The lack of transparency—particularly in terms of data sharing—exacerbates the reasonable concerns that the Plaintiffs and I have regarding the archaeological approach adopted by McGill and SQI's contractors.

43. Not only are the McGill and SQI's contractors refusing to share data, but, in GeoScan's situation, their reports have failed to mention basic, yet critical, information about the GPR equipment they used. I am aware that the GPR equipment they used—at least in terms of the 8-channel technology they relied upon—is untested compared to other GPR equipment used in other searches for unmarked burials. The claims of confidentiality, lack of data sharing, and

the use of relatively untested technologies again promotes questions and mistrust of the results of these techniques.

44. In addition, the soil sifting by Ethnoscop that took place on October 2, 2023 causes me serious concern. Placing soil in piles from areas that were flagged by the GeoScan Report and HHRDD Report and moving them to enable construction work to be done risks tainting the evidence, which is why it is contrary to basic archaeological practices. By removing soil from their original location, important data may be lost such as the stratigraphy of any potential evidence found.

45. As GeoScan has already released their second GPR Report, dated September 29, 2023, the need to improve this process cannot be overstated. With more reports from GeoScan expected, the Expert Panel's guidance is needed to avoid these issues around evidence collection and chain of custody from compounding.

e) Expert's Panel ability to review Archival Research by Know History

46. The Agreement acknowledges that archival research is a key piece to the investigation and addressing information arising from that research, and how it will inform the investigation. For example, the GeoScan Report in a section entitled "Limitations and Cautions" states that the "results should be correlated with available historical records, surveys, and knowledge" (**Exhibit MM-13**, pg. 12). This recommendation, from McGill and SQI's own contractor, has yet to be implemented.

47. The archival research by Know History is currently stalled because the Defendants are withholding access to records necessary for the investigation, as detailed in the affidavit of Dr. Nicole Marion-Patola, attached hereto in the Access to Records application as **Exhibit ISI-7**.

48. Thus, the premature dismissal of the Expert Panel on August 2, 2023, strips their ability to consider Know History's findings and alter their recommendations.

49. It is troubling to me that the Defendants are exhibiting a reluctance to do a complete and full investigation of the entire New Vic site. Archival research can assist in speeding up the investigation, thereby meeting the Defendants' concerns over delays and financial losses in the development of the site.

50. The solution is to enable Know History to complete their archival investigation, and affirm the Expert Panel's role to review the results of the completed archival investigation and make recommendation.

Definition and significance of Indigenous-led

51. I am of the view that the Defendants continue to either not understand what Indigenous-led means or are refusing to adopt this best practice.

52. A proper Indigenous-led investigation is required for the following reasons:

I. It provides a sense of trust in the process and findings by Indigenous communities and peoples. The lack of transparency by the Defendants and their contractors only serves to exacerbate the lack of trust between the parties;

II. These investigations deal with topics that give rise to re-traumatization given the history of colonization and Indian Residential Schools which cannot be ignored in this investigation. Therefore, Indigenous protocols, laws, customs, and ceremonies are necessary to address any potential trauma arising from the investigation and any potential discoveries – which includes protecting those doing the investigation;²

² This is echoed in the Bournemouth Protocol as being another overarching operating principle as well as a particular issue to consider in a good investigation practice: Exhibit ISI-2, p.6-7 and 10.

III. It provides immediate communication of discoveries and progress and what the proper response is to such developments. An example to the contrary, is the eight days it took for me to receive a formal report of the discoveries at the New Vic site on September 28, 2023; and,

IV. There are traditional laws and protocols that must be undertaken and applied to the discovery of any remains. Without the involvement of Indigenous Knowledge Holders and ceremonial leaders to apply the proper protocols, there can be serious consequences. The Defendants need to appreciate that it is not their Eurocentric culture that is implicated in this investigation, but that of Mohawk Peoples and the Kanien'keha:ka Kahnistensera's role therein.

53. This Honourable Court acknowledged that "The identification of unmarked Indigenous burial sites is a priority for discovering the truth and working towards reconciliation" in its Order dated October 27, 2022.

54. Based on my participation in the discussions and in these proceedings before this Honourable Court, it appears that McGill and the SQI fail to appreciate that this era of reconciliation requires concrete action in the circumstances.

55. Contrary to the spirit of this era of reconciliation, I have found that McGill and the SQI continue to evince denialism and neglect throughout this process. Based on my experience, this hinders not only reconciliation but the archaeological investigation.

56. The Defendants, in previous filings, have made it clear that they understand "Indigenous-led" to be a process in which Indigenous peoples **only** provide initial input that the Defendants then respond to with a goal of reaching a consensus. In public statements, they have pronounced their commitment to reconciliation and collaboration, while in practice they do

the bare minimum of keeping the Plaintiffs apprised of some developments, with no collaboration or inclusion in any of the decision-making processes.

57. I have followed the media’s coverage of this matter. I note with a high degree of concern that McGill and the SQI has been claiming that they are doing everything correctly and according to the Expert Panel’s recommendations. For example, a CityNews article included in **Exhibit ISI-6** contains the repeated misleading claim that “there is no evidence to confirm the presence of burials.” In this October 2, 2023, CityNews article, the SQI communications go even further and cite a report that HHRDD dogs are prone to false positive detections. This underscores the issues of removing the impartial Expert Panel from the process in favour of the SQI and McGill’s unilateral leadership.

58. These statements reflect the concrete strategy and actions of McGill and the SQI. Without a final determination on the source of the HHRDD anomalies and an investigation into the nearby building within the 10m radius recommended by their own contractors, McGill and the SQI are proceeding with redevelopment. This misguided course of action warrants an updated recommendation by the Expert Panel, and an investigation into the Hersey Pavillion.

Garden River Investigation: An Example

59. One example of an Indigenous-led investigation—that also involves lands that are privately owned—is the investigation undertaken by Garden River First Nation. Attached hereto as **Exhibit ISI-8**, is a media report from the beginning of the investigation,

60. Being Indigenous-led, the Garden River investigation began with proper ceremony as Garden River Chief Andy Rickard said, “Much of the discussion this morning is that those spirits still are here, unresolved, and it was important for our spiritual leaders, some of the Elders in our

community to carry this out and to ensure that we're doing this work in a good way and starting off correctly in that ceremonial and spiritual standpoint.”

61. This point made by Chief Rickard appears to be echoed in GeoScan's September 29, 2023 report where they state that excavation is a “drastic” step “with serious cultural and emotional implications.” (**Exhibit ISI-3**, pg. 13). In other words, even McGill and the SQI's own contractors recognize the harms that could be caused—something that the Defendants in this litigation have appeared to ignore time and time again.

62. Garden River First Nation has a traditional Knowledge Keeper who serves as the site search community coordinator for the Garden River investigation. The role of this individual is to ensure that cultural practices and traditions are upheld, respected, and followed during the course of the investigation. All decisions on the search are being made by the community members, in collaboration with the land owners.

The approach adopted in the Garden River Investigation—including the acknowledgment of the spiritual significance of the search for unmarked graves – is in diametric opposition to what I have observed in the instant matter as I have outlined herein.

Conclusion:

63. Throughout these proceedings, McGill and the SQI have consistently demonstrated a lack of understanding about the significance and the global value in having this investigation being properly Indigenous-led. Those potential children buried on the grounds did not request to be there and budget and time should not pre-empt reconciliation and the healing that communities need.

64. The combination of refusing meaningful participation of the Indigenous Plaintiffs in this process, and prematurely disbanding the Expert Panel appointed to provide independent oversight, is extremely troubling. The Expert Panel was such a fundamental part of the Agreement. I certainly never contemplated that it needed to be explicitly stated in the Agreement that it could not be unilaterally disbanded in the middle of the investigation. After seeing this happen and the consequences, I see the need for an explicit term protecting the Expert Panel's role, and measures to improve collaboration between the parties.

65. As next steps, the Expert Panel's authority as the independent oversight body throughout this entire investigation into potential unmarked burials should to be recognized. The Expert Panel's recommendations for a forensic expert, their request to receive and review the raw GPR data, to have the opportunity to interpret the GPR reports, and to make new recommendations should all take effect before any further excavation continues at the New Vic site.

66. I have continually raised the issue of cultural competence in this matter. Reconciliation demands the acknowledgment of Indigenous laws, protocols, values, and traditions. Despite emailed and public proclamations and platitudes about reconciliation, I see very little acknowledgment of the Indigenous perspective by McGill and the SQI. Reconciliation requires more. It requires concrete actions.

AND I HAVE SIGNED:



Kimberly R. Murray, Independent Special Interlocutor

SOLEMNLY AFFIRMED BEFORE ME

at Toronto, ON
this 23rd day of October, 2023



Mitchell Goldenberg, Commissioner of Oaths
for the Province of Ontario, LSO# 85215T

N^o.: 500-17-120468-221

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OFFICE OF THE SPECIAL INTERLOCUTOR

Third Party Intervenor

- **AFFIDAVIT OF KIMBERLY MURRAY**
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Original

Falconers LLP

Julian N. Falconer

Mitchell Goldenberg

Julianf@Falconers.Ca

mitchg@falconers.ca

Co-Counsel for the Third-Party Intervenor

10 Alcorn Avenue, Suite 204, Toronto, ON

T.: 416-964-0495

F : 416-929-8179

Paul V. Marcil

paul.marcil@marcilcooper.com

Avocat-conseil for the Third-Party Intervenor

1 Avenue Holiday, Tour Est, Suite 647

Pointe-Claire (Québec). Canada, H9R 5N3

T: 514-927-5158

F: 514-694-0014

Semaganis Worme Legal

Don Worme

Mark Ebert

dworme@swlegal.ca

mebert@swlegal.ca

Co-Counsel for the Third-Party Intervenor

#150 – 103C Packham Avenue

Saskatoon, SK S7N 4K4

T: 306-664-7175

F: 306-664-7176