

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

**THIRD SUPPLEMENTARY MOTION RECORD
OF THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE**
(Motion for Joinder/Intervention)

November 3, 2022

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Lawyers for the Defendant, Her Majesty the Queen in Right of Ontario

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

TABLE OF CONTENTS

Tab	Description	Page No.
1	Case Conference Endorsement of Justice Sanfilippo, dated September 21, 2022	1
2	Order of Justice Sanfilippo, dated September 21, 2022	8
3	Affidavit of Thomas Dumigan, sworn September 26, 2022	14
4	Affidavit of Dylan Gibbs, sworn September 27, 2022	17
5	Affidavit of Jonathan Martin, sworn September 30, 2022	22
A	Publication Confirmation Tearsheet from Oneida Daily Dispatch dated September 25, 2022	26
B	Publication Confirmation Tearsheet from Turtle Island News dated September 28, 2022	28
C	Publication Confirmation Tearsheet from Haldimand Press dated September 29, 2022	30
D	Publication Confirmation Tearsheet from Brantford Expositor dated September 23, 2022	32

Tab	Description	Page No.
E	Publication Confirmation Tearsheet from The Eastern Door dated September 23, 2022	34
F	Publication Confirmation Tearsheet from Indian Time dated September 29, 2022	36
6	Affidavit of Jonathan Martin, sworn October 3, 2022	38
A	Publication Confirmation Tearsheet from Two Row Times dated October 3, 2022	41
7	Affidavit of Karizma Defreitas-Barnes, sworn November 3, 2022	43
A	Correspondence between Benjamin Doolittle and Tim Gilbert (September 24, 2022 to October 24, 2022)	48
B	Correspondence between [REDACTED] and Gilbert's LLP (October 17, 2022 to October 24, 2022)	59
C	Correspondence between Leanna Bomberry and Gilbert's LLP (October 19, 2022 to October 24, 2022)	74
D	Letter from Hodiskeagehda (Men's Fire of the Grand River Territory) to Tim Gilbert, Thomas Dumigan, Dylan Gibbs, and Jack MacDonald, counsel for the moving party and Rebecca Torrance, counsel for the Plaintiff dated October 20, 2022	80
E	Correspondence between the Mohawk Nation Council of Chiefs and Gilbert's LLP (October 24, 2022 to October 27, 2022)	83
F	Correspondence between the On^yota a:ka Lotiyaneshu and Gilbert's LLP (October 24, 2022 to October 27, 2022)	86
G	Correspondence between the Mohawks of the Bay of Quinte and Gilbert's LLP dated October 28, 2022	89
H	Letter from Abram Benedict, Grand Chief of the Mohawk Council of Akwesasne to Tim Gilbert dated October 31, 2022	98

TAB 1

CITATION: Six Nations of the Grand River Band of Indians v. The Attorney General of
Canada, 2022 ONSC 5373

COURT FILE NO.: CV-18-594281-0000
(Formerly Court file no.: 406/95)

DATE: 20220921

SUPERIOR COURT OF JUSTICE – ONTARIO

RE: SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

AND:

THE ATTORNEY GENERAL OF CANADA and HIS MAJESTY THE KING IN
RIGHT OF ONTARIO

Defendants

BEFORE: A.A. SANFILIPPO J.

COUNSEL: *Iris Antonios, Max Shapiro, Gregory Sheppard and Robert Janes*, for the Plaintiff
Anusha Aruliah, Edward Harrison, and Sarah Kanko, for the Defendant, the
Attorney General of Canada
*Manizeh Fancy, David Feliciant, Christine Perruzza, Shima Heidari, Julia
McRandall, Catherine Ma, and Lina Chaker*, for the Defendant, His Majesty the
King in Right of Ontario
*Tim Gilbert, Thomas Dumigan, Jonathan Martin, Dylan Gibbs and Jack
MacDonald*, for the moving party, the Haudenosaunee Development Institute

HEARD

(By videoconference): September 16, 2022 and in writing, September 21, 2022

CASE CONFERENCE ENDORSEMENT

[1] Case Conferences were conducted on August 15, 2022 and September 16, 2022 to address the request by the Haudenosaunee Development Institute (“HDI”) for the scheduling of a motion for the following relief: (i) to add HDI as a party to this action, either pursuant to Rule 5.03 (joinder as necessary party) or Rule 13.01 (leave to intervene as an added party) of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194; (ii) to appoint HDI as a representative of the citizens of the Haudenosaunee Confederacy, pursuant to Rule 10.01 or 12.08 (the “HDI Motion”).

[2] By the time of the Case Conference of September 16, 2022, Six Nations of the Grand River Band of Indians, the Attorney General of Canada and His Majesty the King in Right of Ontario (collectively the “Parties”) had provided HDI with the documents requested by HDI as arising from the Parties’ pleadings, and HDI had provided the Parties with HDI’s Draft Statement of Defence, Counterclaim and Crossclaim. On September 16, 2022, the Parties and HDI agreed to a timetable for the development of the HDI Motion for adjudication, as follows (the “HDI Motion Timetable”).

- (a) HDI shall, by September 23, 2022, give notice to potentially interested non-parties of the HDI Motion, at HDI’s cost.
- (b) Anyone given notice who wishes to participate in the HDI Motion, shall, by October 24, 2022, so advise counsel for HDI by email to their counsel.
- (c) The Parties shall, by November 2, 2022, deliver their Responding Motion Records to the HDI Motion.
- (d) The Parties and HDI shall, on November 7, 2022 at 2:00 p.m., attend at a Case Conference to confirm the motion participants and the further steps of the Timetable.
- (e) Subject to any further Order of this Court:
 - a. Cross-examinations, if any, on the affidavits filed by all parties shall be completed by November 16, 2022.
 - b. HDI shall, by November 25, 2022, deliver their factum.
 - c. The Parties shall, by December 16, 2022, deliver their responding facta.
 - d. The hearing of the HDI Motion shall take place on January 30 and 31, 2023.

[3] The Parties and HDI required additional time to confer and conclude terms for the provision of notice of the HDI Motion to potentially interested non-parties. The Parties and HDI filed, on September 20, 2022, a Consent, as executed by the Parties and HDI, for the issuance of an Order in accordance with the terms for notice set out in Schedule #1 to this Case Conference Endorsement.

Case Conference Orders

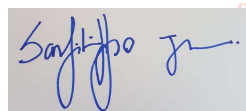
[4] Having considered the steps required to prepare the HDI Motion for adjudication, and on the consent of HDI and the Parties, I order as follows:

- (a) The HDI Motion shall be prepared for adjudication in accordance with the HDI Motion Timetable.

- (b) An Order shall issue on the terms of the draft Order filed by the Parties and HDI with their written Consent of September 20, 2022, as set out in Schedule #1 of this Case Conference Endorsement, to give notice of the HDI Motion to any potentially interested non-parties. I will sign the draft Order.
- (c) The Case Conference to be conducted on November 7, 2022 at 2:00 p.m. shall be conducted by videoconference, using video connection coordinates that will be provided by the Court.
- (d) The parties shall, by November 3, 2022 at 1:00 p.m., deliver a Case Conference Memorandum of no more than three pages in length, setting out the status of the HDI Motion and any issues affecting the orderly and efficient development of the HDI Motion for hearing.

[5] Broad application of Rule 50.13 will be used to address and resolve matters raised at case conference, in circumstances where this is possible. Counsel ought to expect that procedural orders and directions will be made at case conferences, in accordance with Rule 50.13(6), on informal notice of the issue to be addressed.

[6] In accordance with *Rules* 59.04(1), 77.07(6) and 1.04, this order is effective from the date that it is made and is enforceable without any need for entry and filing.

 Digitally signed by Andrew Sanfilippo
DN: c=ca, st=on, o=Government of
Ontario, ou=People,
serialNumber=DSAP466376,
cn=Andrew Sanfilippo
Date: 2022.09.21 14:48:56 -04'00'

Justice A.A. Sanfilippo

Date: September 21, 2022

SCHEDULE #1

Terms of Order on Notice

1. **THIS COURT ORDERS** that the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), as appointed by the Haudenosaunee Confederacy Chiefs Council (the “**Moving Party**”) shall, at its cost, promptly provide a copy of (i) the notice attached as Schedule “A” (the “**Notice**”), (ii) its Notice of Motion dated June 10, 2022, (iii) its draft pleading dated September 9, 2022, and (iv) this Order, to the following (in the manner specified for each below) by **September 23, 2022**:

- (a) To the secretary for the Haudenosaunee Confederacy Chiefs Council by email and registered mail, with the request that the secretary send the Notice to all current chiefs and all current clan mothers by email (if any) and mail;
- (b) To the secretary for the Grand Council by email and registered mail, with the request that they send the Notice to all current chiefs and all current clan mothers by email (if any) and mail;
- (c) The following Haudenosaunee Longhouses and Longhouse representatives:
 - (i) Mohawk Nation Longhouse by email to the Longhouse representative, Bula Hill, and by mail to P.O. Box 366, Rooseveltown, New York, 13683-0196;
 - (ii) Oneida Nation Longhouse by email to Longhouse representatives Alfred Day, Howard Elijah, and Robert Brown;
 - (iii) Tonawanda Seneca Longhouse by email to the Longhouse representative, Christine Abrams;
 - (iv) Tuscarora Longhouse by email to Longhouse representatives Thomas Jonathan, Brennen Ferguson, and Renee Rickard and mail to 1954 Mount Hope Road, Lewiston, NY 14092;
- (d) Mohawk Council of Akwesasne at PO Box 90 Akwesasne, QC H0M 1A0 and PO Box 489, Hogansburg, NY 13655, by mail;
- (e) Mohawk Council of Kahnawà:ke at PO Box 720, Kahnawake, QC, J0L 1B0, by mail;
- (f) Mohawks of Kanesatake at 681 Ste-Philomene Street, Kanesatake, QC, J0N 1E0, by mail;

- (g) Mohawks of the Bay of Quinte at 24 Meadow Drive, Tyendinaga Mohawk Territory, ON, K0K 1X0, by mail;
- (h) Mohawks of Wahta at P.O. Box 260, 2664 Muskoka Road, Bala, ON, P0C 1A0, by mail;
- (i) Saint Regis Mohawk Tribe at 71 Margaret Terrance Memorial Way, Akwesasne, NY, 13655, by mail;
- (j) Oneida Nation of the Thames at RR 2, Southwold, ON, N0L 2G0, by mail;
- (k) Cayuga Nation at PO Box 803, Seneca Falls, NY, 13148, by mail;
- (l) Seneca Nation of Indians at 90 Ohi:yo' Way Salamanca, NY 14779 and 12837 Route 438 Irving, NY, 14081, by mail;
- (m) Tonawanda Band of Seneca at 7027 Meadville Road, Basom, NY, 14013, by mail;
- (n) Onondaga Nation at Administration Building 4040, Route 11, Onondaga Nation, Nedrow, NY, 13120, by mail;
- (o) Tuscarora Nation at 5226 Walmore Road, Lewistown, NY, 14092, by mail;
- (p) Delaware-Shawnee at 29 S Hwy 69A, Miami, OK, 74354, by mail; and
- (q) Wyandotte Nation at 8 Turtle Drive, Wyandotte, OK, 74370, by mail.

2. **THIS COURT ORDERS THAT** the Moving Party shall, at its cost, give notice of its motion and this Order to other members of the Haudenosaunee Confederacy by publishing the Notice in the following publications by **September 23, 2022** or as soon thereafter as is possible:

- (a) *Two Row Times*;
- (b) *The Turtle Island News*;
- (c) *Brantford Expositor*;
- (d) *Haldimand Press*;
- (e) *Indian Time*;
- (f) *The Eastern Door*; and
- (g) *Oneida Daily Dispatch*.

3. **THIS COURT ORDERS** that the Moving Party shall provide the parties with proof of the notice required by subparagraphs 1 and 2, above, and file with the Court such proof and copies of the notices published in paragraph 2 above, by **September 30, 2022**.

4. **THIS COURT ORDERS** that any person wishing to participate in the Moving Party's motion shall so advise counsel for the Moving Party by **October 24, 2022**, at the following email addresses: tim@gilbertslaw.ca, tdumigan@gilbertslaw.ca, and dylan@gilbertslaw.ca.

SCHEDULE "A"

NOTICE: *Six Nations of the Grand River Band of Indians v Canada (Attorney General) and His Majesty the King in Right of Ontario* (Ontario Superior Court of Justice File No. CV-18-594281 [Toronto])

The Haudenosaunee Development Institute ("HDI"), under the authority and at the direction of the Haudenosaunee Confederacy Chiefs Council (the "HCCC"), has brought a motion to be appointed as a representative of all citizens of the Haudenosaunee Confederacy in respect of litigation commenced by the plaintiff Six Nations of the Grand River Band of Indians against the defendants The Attorney General of Canada and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice Court File No. CV-18-594281 [Toronto], formerly Court File No. 406/95 [Brantford]) (the "**Litigation**"), and seeks to join/intervene as a party in the Litigation.

The Litigation concerns, among other things, rights stemming from the Haldimand Proclamation of 1784 and Simcoe Patent of 1793, and alleges breaches of treaty and fiduciary duty and a failure to account, and seeks remedies including compensation. HDI in its draft pleading seeks, among other things, "a declaration that the Haudenosaunee Confederacy is the collective rightsholder in respect of the rights and interests asserted in the action" by the plaintiff, and that the Six Nations of the Grand River Band of Indians "is not the collective rightsholder".

HDI seeks to represent and bind all citizens of the Haudenosaunee Confederacy, wherever they are located, and join/intervene as a party in the Litigation in order to represent the interests of the Haudenosaunee Confederacy and its citizens which, HDI submits, are affected by the Litigation. HDI, accordingly, seeks a court order appointing it as a representative of the Haudenosaunee Confederacy in the Litigation. If that order is granted, all decisions and findings in the Litigation will be binding on the Haudenosaunee Confederacy, its Chiefs and Councils, and all its citizens, as will any agreements amongst counsel for the parties in respect of the conduct of the litigation.

Copies of the following court documents are accessible at this URL: <https://www.gilbertslaw.ca/post/CV-18-594281>

1. The parties' current pleadings;
2. HDI's motion materials and proposed draft pleading;

3. The order of Justice Sanfilippo dated September 21, 2022 attaching this Notice and the case management endorsement of Justice Sanfilippo dated September 21, 2022.

This motion is expected to be heard in January 2023. For parties looking for more information or who may wish to participate in this motion, please contact HDI's counsel below no later than **October 24, 2022**:

Tim Gilbert, Gilbert's LLP (tim@gilbertslaw.ca, [416-703-1100](tel:416-703-1100), with copy to tdumigan@gilbertslaw.ca and dylan@gilbertslaw.ca)

TAB 2

Toronto Court File No. CV-18-594281-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE)	FRIDAY, THE 16TH
)	
JUSTICE A. A. SANFILIPPO)	DAY OF SEPTEMBER, 2022

B E T W E E N:

(Court Seal)

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

- and -

THE ATTORNEY GENERAL OF CANADA and HIS MAJESTY THE KING
 IN RIGHT OF ONTARIO

Defendants

- and -

THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE (AARON DETLOR AND BRIAN
 DOOLITTLE), AS APPOINTED BY THE HAUDENOSAUNEE CONFEDERACY CHIEFS
 COUNCIL, ON BEHALF OF THE HAUDENOSAUNEE CONFEDERACY

Moving Party

ORDER

THIS CASE MANAGEMENT CONFERENCE, at which the moving party requested an Order to provide notice of a pending motion, was heard this day by videoconference over Zoom.

ON READING the materials and on hearing the submissions of counsel for the moving party, counsel for the plaintiff, and counsel for the defendants, and on being advised of consent of the moving party and the parties by their counsel,

1. **THIS COURT ORDERS** that the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), as appointed by the Haudenosaunee Confederacy Chiefs Council (the “**Moving Party**”) shall, at its cost, promptly provide a copy of (i) the notice attached as Schedule “A” (the “**Notice**”), (ii) its Notice of Motion dated June 10, 2022, (iii) its draft pleading dated September 9, 2022, and (iv) this Order, to the following (in the manner specified for each below) by **September 23, 2022**:

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 - (iv) Tuscarora Longhouse by email to Longhouse representatives Thomas Jonathan, Brennen Ferguson, and Renee Rickard and mail to 1954 Mount Hope Road, Lewiston, NY 14092;
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- (f) Mohawks of Kanesatake at 681 Ste-Philomene Street, Kanesatake, QC, J0N 1E0, by mail;
- (g) Mohawks of the Bay of Quinte at 24 Meadow Drive, Tyendinaga Mohawk Territory, ON, K0K 1X0, by mail;

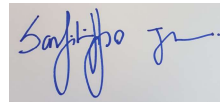
- (h) Mohawks of Wahta at P.O. Box 260, 2664 Muskoka Road, Bala, ON, P0C 1A0, by mail;
- (i) Saint Regis Mohawk Tribe at 71 Margaret Terrance Memorial Way, Akwesasne, NY, 13655, by mail;
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- (k) Cayuga Nation at PO Box 803, Seneca Falls, NY, 13148, by mail;
- (l) Seneca Nation of Indians at 90 Ohi:yo' Way Salamanca, NY 14779 and 12837 Route 438 Irving, NY, 14081, by mail;
- (m) Tonawanda Band of Seneca at 7027 Meadville Road, Basom, NY, 14013, by mail;
- (n) Onondaga Nation at Administration Building 4040, Route 11, Onondaga Nation, Nedrow, NY, 13120, by mail;
- (o) Tuscarora Nation at 5226 Walmore Road, Lewistown, NY, 14092, by mail;
- (p) Delaware-Shawnee at 29 S Hwy 69A, Miami, OK, 74354, by mail; and
- (q) Wyandotte Nation at 8 Turtle Drive, Wyandotte, OK, 74370, by mail.

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- (g) *Oneida Daily Dispatch*.

3. **THIS COURT ORDERS** that the Moving Party shall provide the parties with proof of the notice required by subparagraphs 1 and 2, above, and file with the Court such proof and copies of the notices published in paragraph 2 above, by **September 30, 2022**.

4. **THIS COURT ORDERS** that any person wishing to participate in the Moving Party's motion shall so advise counsel for the Moving Party by **October 24, 2022**, at the following email addresses: tim@gilbertslaw.ca, tdumigan@gilbertslaw.ca, and dylan@gilbertslaw.ca.



Digitally signed by Andrew Sanfilippo
DN: c=ca, st=on, o=Government of Ontario,
ou=People, serialNumber=DSAP466376,
cn=Andrew Sanfilippo
Date: 2022.09.21 14:58:21 -04'00'

JUSTICE A.A. SANFILIPPO

Dated: September 21, 2022

SCHEDULE “A”

NOTICE: Six Nations of the Grand River Band of Indians v Canada (Attorney General) and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice File No. CV-18-594281 [Toronto])

The Haudenosaunee Development Institute (“**HDI**”), under the authority and at the direction of the Haudenosaunee Confederacy Chiefs Council (the “**HCCC**”), has brought a motion to be appointed as a representative of all citizens of the Haudenosaunee Confederacy in respect of litigation commenced by the plaintiff Six Nations of the Grand River Band of Indians against the defendants The Attorney General of Canada and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice Court File No. CV-18-594281 [Toronto], formerly Court File No. 406/95 [Brantford]) (the “**Litigation**”), and seeks to join/intervene as a party in the Litigation.

The Litigation concerns, among other things, rights stemming from the Haldimand Proclamation of 1784 and Simcoe Patent of 1793, and alleges breaches of treaty and fiduciary duty and a failure to account, and seeks remedies including compensation. HDI in its draft pleading seeks, among other things, “a declaration that the Haudenosaunee Confederacy is the collective rightsholder in respect of the rights and interests asserted in the action” by the plaintiff, and that the Six Nations of the Grand River Band of Indians “is not the collective rightsholder”.

HDI seeks to represent and bind all citizens of the Haudenosaunee Confederacy, wherever they are located, and join/intervene as a party in the Litigation in order to represent the interests of the Haudenosaunee Confederacy and its citizens which, HDI submits, are affected by the Litigation. HDI, accordingly, seeks a court order appointing it as a representative of the Haudenosaunee Confederacy in the Litigation. If that order is granted, all decisions and findings in the Litigation will be binding on the Haudenosaunee Confederacy, its Chiefs and Councils, and all its citizens, as will any agreements amongst counsel for the parties in respect of the conduct of the litigation.

Copies of the following court documents are accessible at this URL: <https://www.gilbertslaw.ca/post/CV-18-594281>

1. The parties’ current pleadings;
2. HDI’s motion materials and proposed draft pleading;
3. The order of Justice Sanfilippo dated September 21, 2022 attaching this Notice and the case management endorsement of Justice Sanfilippo dated September 21, 2022.

This motion is expected to be heard in January 2023. For parties looking for more information or who may wish to participate in this motion, please contact HDI’s counsel below no later than **October 24, 2022**:

Tim Gilbert, Gilbert’s LLP (tim@gilbertslaw.ca, [416-703-1100](tel:416-703-1100), with copy to tdumigan@gilbertslaw.ca and dylan@gilbertslaw.ca)

SIX NATIONS OF THE GRAND RIVER BAND OF
INDIANS
Plaintiff

- and -

THE ATTORNEY GENERAL OF CANADA *et al.*

Defendants

Court File No.: CV-18-594281-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT BRANTFORD AND
TRANSFERRED TO TORONTO

ORDER

GILBERT'S LLP

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Toronto, Ontario M5A 0Z6

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Tel: 416.703.1100

Fax: 416.703.7422

Lawyers for the Moving Party, the Haudenosaunee Development
Institute (Aaron Detlor and Brian Doolittle), as appointed by the
Haudenosaunee Confederacy Chiefs Council

TAB 3

Court File No. CV-18-594281

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

and

**THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE (AARON DETLOR AND
BRIAN DOOLITTLE), AS APPOINTED BY THE HAUDENOSAUNEE
CONFEDERACY CHIEFS COUNCIL, ON BEHALF OF THE HAUDENOSAUNEE
CONFEDERACY**

Moving Party

AFFIDAVIT OF THOMAS DUMIGAN

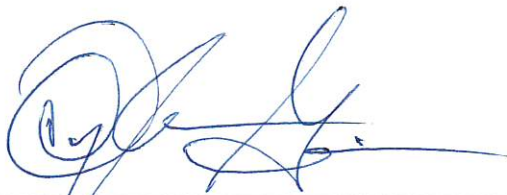
I, Thomas Dumigan, of the City of Toronto, in the Province of Ontario, MAKE OATH
AND SAY:

1. I am a lawyer at Gilbert's LLP, lawyers for the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), and, as such, have knowledge of the matters contained herein.
2. On September 21, 2022 at 7:00 PM, I sent a copy of (i) the notice attached as Schedule "A" to the Order of Justice Sanfilippo dated September 21, 2022 (the "**Notice**"), (ii) HDI's Notice of Motion dated June 10, 2022, (iii) HDI's draft pleading dated September 9, 2022, and (iv) the Order of Justice Sanfilippo dated September 21, 2022, to the following by mail:

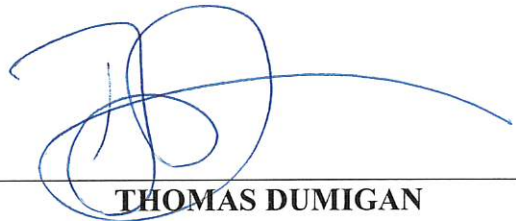
- (a) Mohawk Nation Longhouse P.O. Box 366, Rooseveltown, New York, 13683-0196;

- (b) Mohawk Council of Kahnawà:ke at PO Box 720, Kahnawake, QC, J0L 1B0;
- (c) Mohawks of Kanesatake at 681 Ste-Philomene Street, Kanesatake, QC, J0N 1E0;
- (d) Mohawks of the Bay of Quinte at 24 Meadow Drive, Tyendinaga Mohawk Territory, ON, K0K 1X0;
- (e) Mohawks of Wahta at 2664 Muskoka Road, Bala, ON, P0C 1A0; and
- (f) Oneida Nation of the Thames at RR 2, Southwold, ON, N0L 2G0.

SWORN before me at the city of Toronto, in the Province of Ontario, this 26th day of September 2022.



Commissioner for Taking Affidavits
Dylan Gibbs
(LSO# 82465F)



THOMAS DUMIGAN

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS
Plaintiff

-and-

THE ATTORNEY GENERAL OF CANADA *et al.*
Defendants

Court File No. CV-18-594281

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF THOMAS DUMIGAN

GILBERT'S LLP

125 Queens Quay East, 8th Floor
Waterfront Innovation Centre
Toronto, Ontario M5A 0Z6

Tim Gilbert (LSO# 30665U)
tim@gilbertslaw.ca

Colin Carruthers (LSO# 67699P)
colin@gilbertslaw.ca

Thomas Dumigan (LSO# 74988P)
tdumigan@gilbertslaw.ca

Jack MacDonald (LSO# 79639L)
jack@gilbertslaw.ca

Dylan Gibbs (LSO# 82465F)
dylan@gilbertslaw.ca

Tel: 416.703.1100
Fax: 416.703.7422

Lawyers for the Haudenosaunee Development Institute

TAB 4

Court File No. CV-18-594281

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

and

**THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE (AARON DETLOR AND
BRIAN DOOLITTLE), AS APPOINTED BY THE HAUDENOSAUNEE
CONFEDERACY CHIEFS COUNCIL, ON BEHALF OF THE HAUDENOSAUNEE
CONFEDERACY**

Moving Party

AFFIDAVIT OF DYLAN GIBBS

I, Dylan Gibbs, of the City of Toronto, in the Province of Ontario, MAKE OATH AND
SAY:

1. I am a lawyer at Gilbert's LLP, lawyers for the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), and, as such, have knowledge of the matters contained herein.
2. On September 21, 2022 at 7:00 PM, I sent a copy of (i) the notice attached as Schedule "A" to the Order of Justice Sanfilippo dated September 21, 2022 (the "Notice"), (ii) HDI's Notice of Motion dated June 10, 2022, (iii) HDI's draft pleading dated September 9, 2022, and (iv) the Order of Justice Sanfilippo dated September 21, 2022, to the following (in the manner specified for each below):

- (a) To the secretary for the Haudenosaunee Confederacy Chiefs Council by registered mail to 2634-6th line, Ohsweken, ON N0A 1M0, with the request that the secretary send the Notice to all current chiefs and all current clan mothers by email (if any) and mail; and
 - (b) To the secretary for the Grand Council by registered mail to 4040 Route 11, Nedrow, NY, 13120, with the request that they send the Notice to all current chiefs and all current clan mothers by email (if any) and mail.
3. On September 22, 2022, I sent a copy of (i) the notice attached as Schedule “A” to the Order of Justice Sanfilippo dated September 21, 2022 (the “Notice”), (ii) HDI’s Notice of Motion dated June 10, 2022, (iii) HDI’s draft pleading dated September 9, 2022, and (iv) the Order of Justice Sanfilippo dated September 21, 2022, to the following (in the manner specified for each below):
- (a) To the secretary for the Haudenosaunee Confederacy Chiefs Council by email to Jock Hill, with the request that the secretary send the Notice to all current chiefs and all current clan mothers by email (if any) and mail; and
 - (b) To the secretary for the Grand Council by email, with the request that they send the Notice to all current chiefs and all current clan mothers by email (if any) and mail;
 - (c) Mohawk Nation Longhouse by email to the Longhouse representative, Bula Hill, and by mail to P.O. Box 366, Rooseveltown, New York, 13683-0196;
 - (d) Oneida Nation Longhouse by email to Longhouse representatives Alfred Day, Howard Elijah, and Robert Brown;


- (e) Tonawanda Seneca Longhouse by email to the Longhouse representative, Christine Abrams;
 - (f) Tuscarora Longhouse by email to the Longhouse representatives, Thomas Jonathan, Brennen Ferguson, and Renee Rickard and mail to 1954 Mount Hope Road, Lewiston, NY 14092,
 - (g) Mohawk Council of Akwesasne PO Box 489, Hogansburg, NY 13655, by mail;
 - (h) Saint Regis Mohawk Tribe at 71 Margaret Terrance Memorial Way, Akwesasne, NY, 13655, by mail;
 - (i) Cayuga Nation at PO Box 803, Seneca Falls, NY, 13148, by mail;
 - (j) Seneca Nation of Indians at 90 Ohi:yo' Way Salamanca, NY 14779 and 12837 Route 438 Irving, NY, 14081, by mail;
 - (k) Tonawanda Band of Seneca at 7027 Meadville Road, Basom, NY, 14013, by mail;
 - (l) Onondaga Nation at Administration Building 4040, Route 11, Onondaga Nation, Nedrow, NY, 13120, by mail;
 - (m) Tuscarora Nation at 5226 Walmore Road, Lewistown, NY, 14092, by mail;
 - (n) Delaware-Shawnee at 29 S Hwy 69A, Miami, OK, 74354, by mail; and
 - (o) Wyandotte Nation at 8 Turtle Drive, Wyandotte, OK, 74370, by mail.
4. On September 26, 2022, I sent a copy of (i) the notice attached as Schedule "A" to the Order of Justice Sanfilippo dated September 21, 2022 (the "**Notice**"), (ii) HDI's Notice of Motion dated June 10, 2022, (iii) HDI's draft pleading dated September 9, 2022, and (iv) the Order of Justice Sanfilippo dated September 21, 2022, to the following by mail:

- (a) Ganienkeh Mohawk Nations Office at 102 Devils Den Road, Altona, NY 12910;
- (b) Kanatsiohareke Mohawk Community at 4934 State Highway 5, Fonda, NY 12068;
- (c) Oneida Nation of New York at 2037 Dream Catcher Plaza, Oneida, NY 13421;
- (d) Seneca-Cayuga Nation at 23701 South 655 Road, PO Box 453220, Grove, OK 74344; and
- (e) Oneida Nation of Wisconsin at N7210 Seminary Road, Oneida, WI 54155.

SWORN before me at the city of Toronto, in the Province of Ontario, this 26th day of September 2022. *27th*



Commissioner for Taking Affidavits
Thomas Dumigan
(LSO# 74988P)



DYLAN GIBBS

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS
Plaintiff

-and-

THE ATTORNEY GENERAL OF CANADA *et al.*
Defendants

Court File No. CV-18-594281

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF DYLAN GIBBS

GILBERT'S LLP

125 Queens Quay East, 8th Floor
Waterfront Innovation Centre
Toronto, Ontario M5A 0Z6

Tim Gilbert (LSO# 30665U)
tim@gilbertslaw.ca

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colin@gilbertslaw.ca

Thomas Dumigan (LSO# 74988P)
tdumigan@gilbertslaw.ca

Jack MacDonald (LSO# 79639L)
jack@gilbertslaw.ca

Dylan Gibbs (LSO# 82465F)
dylan@gilbertslaw.ca

Tel: 416.703.1100
Fax: 416.703.7422

Lawyers for the Haudenosaunee Development Institute

TAB 5

Court File No. CV-18-594281

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

and

**THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE (AARON DETLOR AND
BRIAN DOOLITTLE), AS APPOINTED BY THE HAUDENOSAUNEE
CONFEDERACY CHIEFS COUNCIL, ON BEHALF OF THE HAUDENOSAUNEE
CONFEDERACY**

Moving Party

AFFIDAVIT OF JONATHAN MARTIN

I, Jonathan Martin, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY:

1. I am a lawyer at Gilbert's LLP, lawyers for the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), and, as such, have knowledge of the matters contained herein.
2. On September 21, 2022 shortly after receiving the Order of Justice San Filippo dated the same day, I sent a copy of the notice attached as Schedule "A" to the Order of Justice Sanfilippo dated September 21, 2022 (the "**Notice**") to the following publications, by email, in order to secure a publishing date on an "as soon as possible" basis:

- (a) *Oneida Daily Dispatch* (legals@oneidadispatch.com) at approximately 4:30 PM;

- (b) *Two Row Times* (ads@tworowtimes.com) at approximately 4:31 PM;
 - (c) *The Turtle Island News* (darren@theturtleislandnews.com) at approximately 4:33 PM;
 - (d) *Haldimand Press* (laura@haldimandpress.com) at approximately 4:33 PM;
 - (e) *Brantford Expositor* (announcements@postmedia.com) at approximately 4:30 PM;
 - (f) *The Eastern Door* (stevebonspiel@hotmail.com) at approximately 4:32 PM; and
 - (g) *Indian Time* (info@indiantime.net) at approximately 4:31 PM.
3. On September 21, 2022 at approximately 4:40 PM, Michele Sisco-Martin of *Oneida Daily Dispatch* informed me that the Notice would run in the September 25, 2022 issue of *Oneida Daily Dispatch*. A copy of the tearsheet confirming publication on September 25, 2022 is attached as **Exhibit “A”**.
4. On September 22, 2022 at approximately 8:54 AM, Marshall Lank of *The Two Row Times* informed me that the Notice would run in the September 28, 2022 issue of the *Two Row Times*. On September 29, 2022 at approximately 1:20 PM, Shawayne Lawrence-Williams, an articling student at Gilbert’s LLP, informed me that he spoke with a representative from *The Two Row Times* who confirmed that they would provide a tearsheet showing the September 28, 2022 publication date on October 3, 2022.
5. On September 22, 2022 at approximately 10:31 AM, Darren Doxtator of *Turtle Island News* informed me that the Notice would run in the September 28, 2022 issue of *Turtle Island News*. A copy of the tearsheet confirming publication on September 28, 2022 is attached as **Exhibit “B”**.

6. On September 22, 2022 at approximately 10:44 AM, Laura Carl of *Haldimand Press* informed me that the Notice would run in the September 29, 2022 issue of *Haldimand Press*. A copy of the tearsheet confirming publication on September 29, 2022 is attached as **Exhibit “C”**.

7. On September 22, 2022 at approximately 4:22 PM, Cat Amato of Post Media informed me that the Notice would run in the September 23, 2022 issue of *Brantford Expositor*. A copy of the tearsheet confirming publication on September 23, 2022 is attached as **Exhibit “D”**.

8. On September 26, 2022 at approximately 11:06 AM, Steve Bonspiel of *The Eastern Door* informed me that the Notice ran in the September 23, 2022 issue of *The Eastern Door*. A copy of the tearsheet confirming publication on September 23, 2022 is attached as **Exhibit “E”**.

9. On September 26, 2022 at approximately 12:39 PM, Shawayne Lawrence-Williams informed me that he had spoken with a representative of *Indian Time* confirming that the Notice would run in the September 29, 2022 issue of *Indian Time*. A copy of the tearsheet confirming publication on September 29, 2022 is attached as **Exhibit “F”**.

SWORN remotely before me at Toronto, in the Province of Ontario, by Jonathan Martin, stated as being located in the City of Toronto, in the Province of Ontario, on September 22, 2022, in accordance with O. Reg 431/20, Administering Oath or Declaration Remotely



Commissioner for Taking Affidavits
Thomas Dumigan
(LSO# 74988P)



JONATHAN MARTIN

9L < =6=H'5

This is Exhibit "A" to the Affidavit of
Jonathan Martin, sworn this 30th day of
September, 2022

A handwritten signature in blue ink, consisting of a stylized, cursive 'J' followed by a horizontal line extending to the right.

Commissioner for Taking Affidavits



POLICIES/ADJUSTMENTS: Please check your ad and report errors immediately. Adjustments to billing will be made to the incorrect portion of the first insertion only. We are not responsible for failure to publish and reserve the right to reject, edit or cancel any ad. All ads are subject to credit approval or prepayment prior to publication. We accept Visa, Mastercard, AMEX, cash or check only.

HOURS OF OPERATION: MON. - FRI. 9:00AM - 5:00PM

Legal & Classified Advertising Deadline: 1:00 pm - 1 business days prior to publication date
Display Advertising - 1:00 p.m. - 2 business days prior to publication date

HELP WANTED

Town of Smithfield Highway Department

The Town of Smithfield Highway Department is now accepting applications for an open Motor Equipment Operator position. All applications can be submitted, at the office of the Superintendent of Highways, 4608 Peterboro Rd, Morrisville, NY 13408. Or at the Town Clerks Office, 5255 Pleasant Valley Rd, Cazenovia, NY 13035.

All applicants must have a minimum of a class B commercial drivers license with one years of driving experience. Mechanical ability with trucks and construction equipment. Operating experience with applicable equipment. Skills to match Motor Equipment Operator description as adopted by the Town of Smithfield. Offering competitive wages depending on experience.

More information can be obtained at the office of superintendent of highways 4608 Peterboro Rd, Morrisville, NY 13408.

HOUSE & GARDEN

The Generac PWRcell, a solar plus battery storage system. SAVE money, reduce your reliance on the grid, prepare for power outages and power your home. Full installation services available. \$0 Down Financing Option. Request a FREE, no obligation, quote today. Call 1-888-871-0194

HELP WANTED FULL TIME

Canastota Central School District is excited to seek permanent candidates for the following positions:
1.0 FTE Permanent Bus Driver

.5 FTE French Teacher
Canastota CSD is also looking for:
Substitute Teachers
Substitute Bus Drivers
Substitute Aides
Substitute Monitors

Those interested may contact 315-697-2025 for more information.

School Information Specialist

VVS School District is seeking to immediately fill a vacancy for an 11-month School Information Specialist. Starting salary \$38,242 and full benefits. The responsibilities include coordinating, maintaining, and operating various District information management systems, and general office functions. Description of duties and the application to apply can be found on the District Website at: www.vvsschools.org/community/join-our-team. **Deadline to apply is September 30, 2022.** This position is subject to a civil service exam.

REALTY SERVICES & BROKERAGE

Top Dollar for your home guaranteed. Sell today while the market is hot! 315-804-4847, www.gilborealty.com, Gilbo Realty, NY Broker

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Drive Out Breast Cancer:

Donate a car today! The benefits of donating your car or boat: Fast Free Pickup - 24hr response Tax Deduction - Easy To Do! Call 24/7: (855)-905-4755

CABLE & SATELLITE

DISH Network. \$64.99 for 190 Channels! Blazing Fast Internet, \$19.99/mo. (where available.) Switch & Get a FREE \$100 Visa Gift Card. FREE Voice Remote. FREE HD DVR. FREE Streaming on ALL Devices. Call today! 1-855-401-9066

DOORS, SIDING & WINDOWS

Do you need a Roof or Energy Efficient Windows & Help paying for it? YOU MAY QUALIFY THROUGH NEW RELIEF PROGRAMS (800) 944-9393 or visit NYProgramFunding.org to qualify. Approved applications will have the work completed by a repair crew provided by: HOMEOWNER FUNDING. Not affiliated with State or Gov Programs.

HOME IMPROVEMENT

BATH & SHOWER UPDATES in as little as ONE DAY! Affordable prices - No payments for 18 months! Lifetime warranty & professional installs. Senior & Military Discounts available. Call: 866-393-3636

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Call Fred Macri, Jr. 315-240-5311
We do concrete stucco, pointing, sidewalks, chimneys & foundations (re-built or repaired), flashing, metal, shingle and rubber roofs. Light carpentry, house painting, emergency roof repairs. 35 years experience. *Insured.*

SAVE THIS AD.

We do: All types of Interior Remodeling: Kitchens, Bathrooms, Electrical, Plumbing and Heating.

We do: Chimney's (re-built or repaired), roofing, siding, masonry, carpentry, porches, seamless gutters, blown-in insulation in attic & walls, basement waterproofing.

EMERGENCY ROOF REPAIRS- JOE MACRI Home Improvement 35 years experience. 315-336-4176

HOME SERVICES

Never Pay For Covered Home Repairs Again! Complete Care Home Warranty COVERS ALL MAJOR SYSTEMS AND APPLIANCES. 30 DAY RISK FREE. \$200.00 OFF 2 FREE Months! 1-844-360-5703.

YOU'LL NEVER KNOW how effective a classified ad is until you use one yourself! Reach the entire area without leaving the comfort of your home. Call and place your classified today to sell those unwanted items.

Legal Notices

VILLAGE OF HAMILTON LEGAL NOTICE OF SPECIAL BOARD OF TRUSTEES MEETING

Notice is hereby given that the Village of Hamilton Board of Trustees will hold a special meeting at 4:30 p.m. on October 5, 2022, at the Village office conference room, 3 Broad Street, Hamilton, NY, to discuss matters related to the PBA contact and health insurance review. It is anticipated that the Board will enter executive session with legal counsel for discussion of these personnel matters. The Board may also discuss such other matters as may come before it.

Kimberly A. Taranto, Village Clerk
Dated: September 21, 2022
1X: 9/25/22
#NY0060037



EQUAL HOUSING OPPORTUNITY

"All real estate advertised herein is subject to the Federal Fair Housing Act and the New York State Human Rights Law which makes illegal to advertise any preference, limitation or discrimination based on race, color, religion, national origin, sex, familial status, marital status, age, disability or handicap or intention to make any such preferences, limitations or discrimination. We will not knowingly accept any advertising for real estate which is in violation of the law."

To register a complaint, call HUD toll free at: 1-800-669-9777



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(315) 678-2000.

Online & Live Onsite Unreserved Real Estate & Fabulous Multi-Day Onsite Antiques Estate AUCTION

Estate of Donald A. Weisenburger
907 N. George St., Rome, NY 13440
(NY-26/Turin St. to N. George St., Between Maple St. & W. Linden St. or NY46 to W. Linden St. to L. on N. George St.)

Sat., Oct 1, 10 AM-Real Estate Auction
Sat., Oct. 1 thru Wed., Oct 5, 10 AM-1st Floor Contents
Fri., Oct. 7 thru Mon., Oct. 10, 10 AM-2nd Floor Contents
Thurs., Oct. 13 thru Sun., Oct. 16, 10 AM-3rd Floor Contents
Preview: 8-10 A.M. Prior to Each Auction Day!

Real Estate to be Auctioned on Sat., Oct. 1 @ 10 AM-Features: 2,561 +/- Sq. Ft., Full Bedroom, Two-Story Colonial style home w/One Full Bath, a finished Attic & Four Basement on a 90' x 200' +/- Lot! (41 Ac.)
Auctioning-Sat. Oct 1 thru Wed., Oct 5, 10 AM: First Floor of home and 3 Trailer Contents-500 lots each day: Antiques & Collectibles to be auctioned following the auction of the Real Estate to include: Furniture-Lots of Mission Oak Furniture-Modern 2 dr. Inlaid Harvey Ellis Design bookcase, Mission Oak bench, Stickleby style rocker, 41 Library table w/drw., bookcase stand, Gustav Stickley footstool, Stickleby Bros. chair, Leather arm chairs, Italian carved 3 pc. Parlor set w/sofa & Lg. armchairs, Oak fireplace mantel w/mirror, spinet piano, Onyx & Brass stand, Mahogany drop front secretary, Oak hall tree, Mission Oak Grandfather clock, Oak pedestal stands, Curio cabinets, Rd. Oak Dining room table & sideboard, China cabinet, Victorian cl. Secretary, poster beds, Mission Oak slant front desk, set of 4 Carved Lions head Dining room chairs, Mission Oak smoking stand, Oak ice box, Oak bookcase, dinette table & 4 chairs, Mission Oak settee; Collectibles: Lg. Bronze Buddha, wooden barrel churn, RR lanterns, Westinghouse 1940's refrigerator, leaded beveled glass oval attic window, Oak hall mirror, assorted antique stain glass windows, mirror hanging coat racks, Mission Oak lamps, oil paintings, prints & frames, busis, Arts & Crafts folding screen, Lg. Porcelain Palace urn, Plaster of Paris statues, Modern & Old Tiffany style leaded glass lamps, Oak card file, Leather Bound books, Robert E. Lee ship model, Oak wall telephones, Art Pottery Jardiniere stands, New Cameo lamps, paperweights, silverplate, Watercolors, Crystal Chandeliers, Frankart light, Art Nouveau & Art Deco lights, Oriental rugs, silverplated flatware, Mica Art Deco lamp, Leaded & Beveled glass doors & windows, Early sugar chest, Antique reference books, Nippon & Crystal lamps, Arts & Crafts Copperware, Brass & Copperware, Federal mirrors, Stickleby mantel clock, crocks & jugs w/Blue, Brass buckets, Speed Queen Round wringer washer, sm. Old appliances, clock shelves, Stereo equipment-receivers, turntables, LP records; cast iron & Brass fireplace sets, Indian pottery, Chic pottery; China & Glassware: Cut & colored, pressed glass; Delft China, Noritake Sheridan China, Wedgewood, Crystal vases, Nippon & HP China, Depression glass, Belleek China, plus more! Auction: #8279-8283/22.
Auctioning-Fri., Oct 7 thru Mon., Oct. 10, 10 AM: 2nd Floor contents & 1 Verdi Trailers contents:Furniture-Chippendale style loveseat, Empire stands, Leaded glass bookcases, Walnut Victorian bookcase, Mahogany dresser w/mirror, slant front secretary, Mahogany Armoire, Mahogany chest of drawers, Bedroom sets, lg. folding screen, Walnut Victorian leaded glass stacking bookcase, English Oak dresser w/mirror, Lg. Brass bed, loveseat, Lg. TV/Armoire, 48" S-curve 50" Roll-top desk w/raised panels, fainting couch, benches, foot stools, wicker furniture, Oak Pier mirror, Oak Bonnet chests, Oak dressers w/mirrors, carved back chairs, Mission Oak sideboard, Brass bed, Mission Oak desk & chair, Buttermold carved wardrobe, kids rocker; Collectibles: Hart Bros. rock, many statues, Men's & Women's clothes, purses, Good Gold & Costume Jewelry, Roseville Donatello, table & floor lamps, Roseville, Weller pottery, scarves, Playboy magazines, China dresser sets, lg. amplifier, stuffed animals, sewing machine, CD's, globes, GWW lamp, Crystal chandelier, magazine rack, Earl cars & books, lace & linens, Brass bed, loveseat, Lg. 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EXHIBIT B

This is Exhibit "B" to the Affidavit of
Jonathan Martin, sworn this 30th day of
September, 2022

A handwritten signature in blue ink, consisting of a stylized, cursive 'J' followed by a horizontal line extending to the right.

Commissioner for Taking Affidavits

NOTICE

Six Nations of the Grand River Band of Indians v Canada (Attorney General) and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice File No. CV-18-594281 [Toronto])

The Haudenosaunee Development Institute (“**HDI**”), under the authority and at the direction of the Haudenosaunee Confederacy Chiefs Council (the “**HCCC**”), has brought a motion to be appointed as a representative of all citizens of the Haudenosaunee Confederacy in respect of litigation commenced by the plaintiff Six Nations of the Grand River Band of Indians against the defendants The Attorney General of Canada and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice Court File No. CV-18-594281 [Toronto], formerly Court File No. 406/95 [Brantford]) (the “**Litigation**”), and seeks to join/intervene as a party in the Litigation.

The Litigation concerns, among other things, rights stemming from the Haldimand Proclamation of 1784 and Simcoe Patent of 1793, and alleges breaches of treaty and fiduciary duty and a failure to account, and seeks remedies including compensation. HDI in its draft pleading seeks, among other things, “a declaration that the Haudenosaunee Confederacy is the collective rightsholder in respect of the rights and interests asserted in the action” by the plaintiff, and that the Six Nations of the Grand River Band of Indians “is not the collective rightsholder”.

HDI seeks to represent and bind all citizens of the Haudenosaunee Confederacy, wherever they are located, and join/intervene as a party in the Litigation in order to represent the interests of the Haudenosaunee Confederacy and its citizens which, HDI submits, are affected by the Litigation. HDI, accordingly, seeks a court order appointing it as a representative of the Haudenosaunee Confederacy in the Litigation. If that order is granted, all decisions and findings in the Litigation will be binding on the Haudenosaunee Confederacy, its Chiefs and Councils, and all its citizens, as will any agreements amongst counsel for the parties in respect of the conduct of the litigation.

Copies of the following court documents are accessible at this URL: <https://www.gilbertslaw.ca/post/cv-18-594281>

- 1.The parties’ current pleadings;
- 2.HDI’s motion materials and proposed draft pleading;
- 3.The order of Justice Sanfilippo dated September 21, 2022 attaching this Notice and the case management endorsement of Justice Sanfilippo dated September 21, 2022.

This motion is expected to be heard in January 2023. For parties looking for more information or who may wish to participate in this motion, please contact HDI’s counsel below no later than **October 24, 2022**:

Tim Gilbert, Gilbert’s LLP (tim@gilbertslaw.ca, 416-703-1100, with copy to tdumigan@gilbertslaw.ca and dylan@gilbertslaw.ca)

EXHIBIT C

This is Exhibit "C" to the Affidavit of
Jonathan Martin, sworn this 30th day of
September, 2022

A handwritten signature in blue ink, consisting of a stylized, cursive 'J' followed by a horizontal line extending to the right.

Commissioner for Taking Affidavits

CLASSIFIEDS

SUDOKU

PUZZLE NO. 886

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				2		6		
3	6		2					
4			1					5
	2	1						8
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6	4		3	8				

LEVEL: ADVANCED

HOW TO PLAY: Fill in the grid so that every row, every column and every 3x3 box contains the numbers 1 through 9 only once. Each 3x3 box is outlined with a darker line. You already have numbers to get you started. Remember, you must not repeat the numbers 1 through 9 in the same line, column or 3x3 box.

ANSWER TO PUZZLE NO. 886

1	2	6	7	8	3	5	4	9
9	7	5	2	6	4	8	1	3
3	4	8	5	1	9	6	7	2
8	3	7	4	9	6	1	2	5
5	9	2	3	7	1	8	6	4
4	6	1	8	5	2	7	9	3
7	1	9	6	2	5	4	3	8
9	5	4	9	3	8	1	2	7
2	8	1	3	4	7	4	5	6

help wanted



CLARK POULTRY FARMS PART-TIME HELP

Clark Poultry Farms is seeking a part-time students to work on our Broiler Chicken Operation in the Caledonia area. Must be available weekends and holidays coverage as needed.

Please email resume in MS Word or PDF to:
hr@theclarkcompanies.com
No phone calls please.

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ROOM FOR RENT in Hagersville with ensuite, share kitchen and living room with 1 other. \$950. 905-928-1318

CONDO FOR RENT at The Jackson Hagersville. Ground floor 1 bedroom corner unit. Available soon. References required. Call 905-577-3845.

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notice

NOTICE

Six Nations of the Grand River Band of Indians v Canada (Attorney General) and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice File No. CV-18-594281 [Toronto])

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Tim Gilbert, Gilbert's LLP (tim@gilbertslaw.ca, 416-703-1100, with copy to tdumigan@gilbertslaw.ca and dylan@gilbertslaw.ca)

seniors' hoss

SELKIRK SENIORS

On September 26, 17 seniors met for an afternoon playing Hoss. Winners were as follows: Most hosses to Gary Stroud with 5. Blue high Dave Mehlenbacher 324, 2nd Ron Gowland 309, and special Pat Donald. Pink high Sharon Stroud 331, 2nd Marion Drehmer 323, and special Noreen Kleinendorst. No one held the 9s and 10s. Lucky chair to Lois Gordon. We meet on Monday upstairs in the Selkirk Centennial Hall at 1:30 p.m. Everyone is welcome and no experience is needed. We welcome both old and new players to join us.

FISHERVILLE SENIORS

On September 22, 18 seniors met for an afternoon of cards. Winners as follows: Hosses to Annette with 3. Blue high Stan 337, second Orville 328 and special Bob. Pink high Lorna 319, second Lois 318, and special Leah. No one held the 9s and 10s and lucky chair went to Ron. On October 6 we will be having election of officers, collecting yearly dues, and having a finger food lunch at half time. We meet every Thursday at 1:30 p.m. at the Fisherville Lions Hall. Come out and join us for an afternoon of cards and fun. New players always welcome. Hope to see you there.

HAGERSVILLE SENIORS

On September 22 we had 8 hoss players at the Legion in Hagersville. The prize winners were High Green Carolyn B, Special Green Bill K, High Pink Linda E, Special Pink Barb B, Most Hosses Betty B, Door Prize Jean N, 9 and 10s Barb B. Hoping next week we have enough players for at least 3 tables. All are welcome to join us at 1:30 p.m. at the Hagersville Legion. A laugh or two is always guaranteed.

upcoming event

HALDIMAND COUNTY MUNICIPAL ELECTION

Mayoral Debate

WEDNESDAY, OCTOBER 12
7 – 9 p.m.

Doors open at 6 p.m. at the Caledonia Lions Community Centre

Councillor & Mayoral Candidates are invited to set up a table to meet with constituents from 6-7 p.m.

CONFIRMED MAYORAL CANDIDATES

Shelley Ann BENTLEY
Jennifer GILMOUR
Ken HEWITT
Dick PASSMORE
Jake VANDENDOOLO

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EXHIBIT D

This is Exhibit "D" to the Affidavit of
Jonathan Martin, sworn this 30th day of
September, 2022

A handwritten signature in blue ink, consisting of a stylized, cursive 'J' followed by a horizontal line extending to the right.

Commissioner for Taking Affidavits

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Legal & Tender Notices

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Legal & Tender Notices

NOTICE TO CREDITORS AND OTHERS

Notice is Hereby Given that Creditors and others, having claims against the Estate of the Deceased Walter Allan Koptie, deceased on April 28, 2022, formerly of 81 James Avenue Brantford, ON, N3S 6Y6, are hereby required to send the particulars thereof to Michael James Koptie, on or before November 1, 2022, after which date the estate's assets will be distributed, having regard only to the claims that have been received.

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Obituaries



L'AMI, Dennis Wayne
Jul 18, 1940 - Sep 10, 2022


In loving memory of Dennis Wayne L'Ami who passed away September 10, 2022. Survived by his wife Carole of 60 years and remembered by his children Barb, Sharon (Todd) and Jeff. His grandchildren Marc (Kristen), Nathan (Sian), Andrea (Steven), Caleb and Amanda and his great grandchildren Ellie, Gwyneth, Eira, Sadie and Harper. Dennis had a story for everyone. He was always well informed and extremely knowledgeable. He loved to talk and could entertain for hours. A celebration of Life will be held at the St. George Legion Branch #605 on Thursday September 29 from 3-6pm. If desired please consider a donation to the Alzheimer's Society in lieu of flowers.

REMEMBERING.CA



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Obituaries



RICH, David Thomas
October 6, 1945 - September 20, 2022

David Thomas Rich, in his 77th year, with his beloved wife Maureen O'Donoghue Rich by his side. Anyone who knew Dave knew that he was the most loving father and husband a family could ask for. Dave wed Maureen Anne O'Donoghue on September 22, 1973. Loving father of the late Daniel (1977), Jennifer (Vince), Kathryn (Gursh), Matthew (Christine), Leanne (Jamie), and Sarah (Kevin). Dave took great joy in his 14 grandchildren: Kristen (Kyle), Jessica, Jacob, David, Benjamin, Charlotte, Gavin, Hudson, Lincoln, Oliver, Foster, William, Jack, and Bauer and was expecting their first great grandchild Rosina Mariea in February 2023. Dave was born on October 6, 1945 to Walter and Mary (nee Goften) Rich in Kitchener. He was predeceased by his sister Maureen (1987) and will be deeply missed by his brother William (Marilyn) and his sister Donna (the late Robert) and his O'Donoghue Family: Patricia (Richard), Michael (Deb), Kathleen, Karen (Andre), Mark (Mary-Beth), John (Terri), Anne (Kevin), Lisa, Denis (Kim), Neal (Judy), Ryan (Terry), and Ted. Dave earned a B.Sc (Civil Engineering) from the University of Waterloo. Dave started Brantford Engineering and Construction Ltd. in 1977. He was a founding member of the Conestoga Heavy Construction Association, and served as an executive of the Ontario Sewer and Watermain Construction Association. Dave was a brilliant engineer and pillar of the heavy construction industry for over 45 years. Dave was generous in supporting and assisting others. He was an active member of St. Pius X Parish, chair of the St. Pius Finance Council for over 22 years and founded the St. Pius Refugee Sponsorship Committee. He coached Brantford Church Minor Hockey for 18 years and was actively involved with the Society of St. Vincent de Paul. Dave loved his boat and being at the beach with his family and friends. He was a man of deep faith and an eternal optimist. Dave will be deeply missed by all who knew him. The family will receive friends at the "THORPE BROTHERS FUNERAL HOME", 96 West St., on Friday from 1-3pm and 6-9pm. A Mass of Christian Burial will be celebrated at St. Pius X Parish, 9 Waverly St., on Saturday, September 24, 2022 at 11am. Private family interment to take place at a later date. As expressions of sympathy, donations to Stedman Community Hospice or Tiny Home Take Out (St. Mary's Parish, Kitchener, ON) would be appreciated by the family. Memories and condolences may be shared online at www.thorpebrothersfh.com

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MEMORIAL



REGAN, Michael David
July 3, 1980 - September 17, 2022

It is with tremendous sadness we announce the unexpected passing of Michael on September 17, 2022, in his 43rd year. He leaves behind his loving parents John and Sandy Regan, his brothers Daniel and James, who were his best friends. Michael loved sports and being outdoors. He was a hardworking and loyal employee of Mitten Vinyl for 19 years. Michael was kind hearted and a good neighbour. He was loved and will be missed by many. Family and friends will be received at the Toll Funeral Home, 55 Charing Cross Street, Brantford on Saturday, September 24, 2022 from 10 a.m.-12 p.m. A Funeral Service will immediately follow in the Chapel with cremation to follow. In lieu of flowers the family would appreciate donations in Michael's memory to the Brantford SPCA. Messages of condolence may be left at www.arbormemorial/en/toll.ca

In Memoriams




In Loving Memory Of Julie Nicole Buitenhuys
October 12, 1996 - September 24, 2021

Those special memories of you will always bring a smile
If only we could have you back for just a little while
Then we could sit and talk again, just like we used to do
You always meant so very much and always will do too
The fact that you're no longer here will always cause us pain
But you're forever in our heart, until we meet again

One year without you. We love and miss you so much, Julie.
Love Mom, Dad, Alisha, John, Andrew, Erin, and Naomi.

May you find peace and joy with each butterfly that passes by.



In Memoriams



In Loving Memory Of Ronald Roy Paige
1933 - 2017

Those we love don't go away, they walk beside us every day. Unseen, unheard, but always near, still loved, still missed and very dear.

Love Eileen and Family

For each thorn, there's a rosebud..
For each twilight— a dawn..
For each trial – the strength to carry on..
For each storm cloud – the sun..
For each parting – sweet memories when sorrow is done.

Ralph Waldo Emerson

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EXHIBIT E

This is Exhibit "E" to the Affidavit of
Jonathan Martin, sworn this 30th day of
September, 2022

A handwritten signature in blue ink, consisting of a stylized, cursive 'J' followed by a horizontal line extending to the right.

Commissioner for Taking Affidavits

Breathe

Continued from page 17

Like Patton, Kahnawa'kehró:n non beader Towanna Miller received notice of the *Breathe*. callout via the networking platform, which led to the creation of her mask titled Corona Covid.

She claims that the feedback she's gotten on her mask these last few months has been nothing short of endearing.

"The feedback has been fantastic. On Facebook, the photo I posted of me wearing the mask... was shared 103 times, with 188 likes. I was humbled by the feedback," Miller said.

Miller began beading at 14 when her mother taught her how to make her first regalia in preparation for powwow dancing. She has been beading for 40 years now.

Now, Corona Covid has been shared in a few magazines, including the *Whispering Wind Magazine* in 2020 and the *Alberta Views* November 2022 issue, and has also appeared on the Native Women's Association of Canada website.

"I truly appreciate the curators of *Breathe*. exhibit, Nathalie Bertin and Lisa Shepherd. They helped me with the

shipping instructions and have kept me informed on where the exhibit would travel to next and the feedback it was receiving," Miller said. "It was an honour to be included."

The curators of *Breathe*. have successfully created an environment that allowed artists to feel welcomed and to explore various mediums of traditional craft. As such, quite a few Kahnawa'kehró:n artists participated in the exhibit, like Terri Thomas. Her masks, *Covid Contrast* and *Grey Areas* are also part of the exhibition.

"I've been beading for 18 years, and it's something I enjoy doing, as I feel like I'm helping to keep our tradition of Haudenosaunee-raised beadwork alive," Thomas said.

"It's the first time I've ever submitted my work for consideration. I would consider submitting to other shows and exhibits if I had work to submit!"

The *Breathe*. exhibit will flourish until October 16, and all candidates' masks can be viewed on the museum's website - a tool that has made accessibility to the event quite favourable among art enthusiasts who cannot physically attend the showing in person.

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Jonathan Martin, sworn this 30th day of
September, 2022

A handwritten signature in blue ink, consisting of a stylized, cursive 'J' followed by a horizontal line extending to the right.

Commissioner for Taking Affidavits

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The head office of the Fund is now located in Kawehnoke, Akwesasne. The following positions are open.
Financial Analyst
Location : Akwesasne or Ottawa
Closing Date: September 30, 2022

Communications/Marketing Officer
Location : Akwesasne or Ottawa
Closing Date: September 30, 2022

Senior Business Analyst/ Corporate Secretary
Location : Akwesasne or Ottawa
Closing Date: September 30, 2022

Housing Navigator
Location : Akwesasne or Ottawa
Closing Date: September 30, 2022

Complete Job Descriptions and application instructions are available at www.fnmhf.ca. You may also email info@fnmhf.ca to request more information.

WATTHRÓ:RIS - NOTICES

****Please note the September 29th Hybrid Meeting has been rescheduled to October 13th.****

ELECTION BOARD

Proposed Major Changes to the Election and Referendum Ordinance

Referendum Date: Saturday, October 29, 2022

The Tribal Election Board has worked diligently over the last several months to make changes to the Election and Referendum Ordinance that reflect recommendations from community members and will create more clarity when conducting future elections. The following are some of the significant amendments for your information:

CURRENT ORDINANCE:	PROPOSED AMENDMENTS:
The Election Board consists of 5 members and 2 alternates.	The Election Board will consist of 3 members and 2 alternates.
Residency of Tribal Chief, Tribal Sub-Chief, and the Tribal Clerk is within the Reservation or defined by the Treaty of 1796.	Residency will include a 15-mile radius of the Saint Regis Mohawk Reservation in the US.
The Caucus to nominate candidates for the Annual Election is on the first Saturday in May.	The Caucus for the Annual Election will be held the third Saturday in April (or the second Saturday if there is a conflict due to a holiday).
Community members can vote for a Write-In Candidates by indicating their choice on the ballot on Election Day.	A formal procedure for Write-In Candidates has been developed. The Write-In Candidate must formally declare their interest in the position on a Statement of Write-In Candidacy.
Appeals of Election Board decisions are conducted by the Board.	An Appeal Panel will be created to review and make decisions on any appeals. The Appeal Panel ensures impartiality of decisions on an appeal.

UPCOMING COMMUNITY HYBRID MEETINGS:

THURSDAY, OCTOBER 13, 2022 @ 5:30 P.M. – 7:30 P.M.

THURSDAY, OCTOBER 20, 2022 @ 5:30 P.M. – 7:30 P.M.

Both meetings are in-person at Ionkwakiohkwaró:ron Tribal Administration Building or Zoom. If doing it by Zoom, you will need to register via the Tribal Members Portal for each meeting. A video recording of the first hybrid meeting held on September 15th is available to view on the portal.

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HDI seeks to represent and bind all cit-

izens of the Haudenosaunee Confederacy, wherever they are located, and join/intervene as a party in the Litigation in order to represent the interests of the Haudenosaunee Confederacy and its citizens which, HDI submits, are affected by the Litigation. HDI, accordingly, seeks a court order appointing it as a representative of the Haudenosaunee Confederacy in the Litigation. If that order is granted, all decisions and findings in the Litigation will be binding on the Haudenosaunee Confederacy, its Chiefs and Councils, and all its citizens, as will any agreements amongst counsel for the parties in respect of the conduct of the litigation.

Copies of the following court documents are accessible at this URL: <https://www.gilbertslaw.ca/post/cv-18-594281>

The parties' current pleadings; HDI's motion materials and proposed draft pleading;

The order of Justice Sanfilippo dated September 21, 2022 attaching this Notice and the case management endorsement of Justice Sanfilippo dated September 21, 2022.

This motion is expected to be heard in January 2023. For parties looking for more information or who may wish to participate in this motion, please contact HDI's counsel below no later than October 24, 2022:

Tim Gilbert, Gilbert's LLP (tim@gilbertslaw.ca, 416-703-1100, with copy to tdumigan@gilbertslaw.ca and dylan@gilbertslaw.ca)

I was warmed by the sun, rocked by the winds and sheltered by the trees as other Indian babes. I can go everywhere with a good feeling. - Geronimo

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS
Plaintiff

-and- THE ATTORNEY GENERAL OF CANADA *et al.*
Defendants

Court File No. CV-18-594281

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF JONATHAN MARTIN

GILBERT'S LLP

125 Queens Quay East, 8th Floor
Waterfront Innovation Centre
Toronto, Ontario M5A 0Z6

Tim Gilbert (LSO# 30665U)

tim@gilbertslaw.ca

Colin Carruthers (LSO# 67699P)

colin@gilbertslaw.ca

Thomas Dumigan (LSO# 74988P)

tdumigan@gilbertslaw.ca

Jack MacDonald (LSO# 79639L)

jack@gilbertslaw.ca

Dylan Gibbs (LSO# 82465F)

dylan@gilbertslaw.ca

Tel: 416.703.1100

Fax: 416.703.7422

Lawyers for the Haudenosaunee Development Institute

TAB 6

Court File No. CV-18-594281

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

and

**THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE (AARON DETLOR AND
BRIAN DOOLITTLE), AS APPOINTED BY THE HAUDENOSAUNEE
CONFEDERACY CHIEFS COUNCIL, ON BEHALF OF THE HAUDENOSAUNEE
CONFEDERACY**

Moving Party

AFFIDAVIT OF JONATHAN MARTIN


I, Jonathan Martin, of the City of Toronto, in the Province of Ontario, MAKE OATH AND

SAY:

1. I am a lawyer at Gilbert's LLP, lawyers for the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), and, as such, have knowledge of the matters contained herein.
2. I swear this affidavit further to my affidavit sworn on September 30, 2022 regarding publication of the notice attached as Schedule "A" to the Order of Justice Sanfilippo dated September 21, 2022 (the "Notice") in various newspaper publications.
3. In my September 30, 2022 affidavit, I indicated that we expected to receive the tearsheet confirming publication of the Notice in *Two Row Times* on October 3, 2022. A copy of the

tearsheet confirming publication of the Notice in *The Two Row Times* on September 28, 2022 is attached as **Exhibit "A"**.

SWORN before me at the City of Toronto, in the Province of Ontario on October 3, 2022



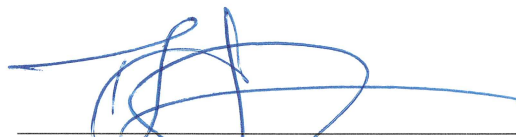
Commissioner for Taking Affidavits
Thomas Dumigan
(LSO# 74988P)



JONATHAN MARTIN

9L < =6=H'5

This is Exhibit "A" to the Affidavit of
Jonathan Martin, sworn this 3rd day of
October, 2022



Commissioner for Taking Affidavits

ATTN: send notices to ads@tworowtimes.com

Obituary

MILLER: Winnifred "Winnie"

On Tuesday, September 20, 2022, Winnifred "Winnie" Miller passed away. She was 86 years old. Loving mother of Shirley. She now reunites with her son, Ed, in spirit. She was a treasured grandma to Katie, Kacie, and Sarah and adoring great-grandma to Lola Winnie. Dear sister of Winten "Wint" Miller and now greets her brothers and sisters, Margarette, Raymond, Peter, Howard, Deloris "Dee," and Ruth "Joyce," in spirit. She also reunites with her parents, Thomas and Ruth Miller. Also survived by many loving nieces, nephews, and friends. Winnie was a proud mother and grandmother, a Buffalo sports fan, and loved winning in cards or at the casino. She will be sadly missed and lovingly remembered by her family and friends. Her family honored her with a private family gathering, as this was her wish. Arrangements by Styres Funeral Home, Ohsweken. www.rhbanderson.com

BBQ

Community Unity Free BBQ

With your cash Donation
All proceeds go to the Golden Spoons
Hosted at Ohsweken Baptist Church
Saturday, October 8, 2022
From 10:00 a.m. to Noon
Come out and support our community
Bake Sale 9:00 a.m. to Noon

Notice

NOTICE

Six Nations of the Grand River Band of Indians v Canada (Attorney General) and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice File No. CV-18-594281 [Toronto])

The Haudenosaunee Development Institute ("HDI"), under the authority and at the direction of the Haudenosaunee Confederacy Chiefs Council (the "HCCC"), has brought a motion to be appointed as a representative of all citizens of the Haudenosaunee Confederacy in respect of litigation commenced by the plaintiff Six Nations of the Grand River Band of Indians against the defendants The Attorney General of Canada and His Majesty the King in Right of Ontario (Ontario Superior Court of Justice Court File No. CV-18-594281 [Toronto], formerly Court File No. 406/95 [Brantford]) (the "Litigation"), and seeks to join/intervene as a party in the Litigation.

The Litigation concerns, among other things, rights stemming from the Haldimand Proclamation of 1784 and Simcoe Patent of 1793, and alleges breaches of treaty and fiduciary duty and a failure to account, and seeks remedies including compensation. HDI in its draft pleading seeks, among other things, "a declaration that the Haudenosaunee Confederacy is the collective rights holder in respect of the rights and interests asserted in the action" by the plaintiff, and that the Six Nations of the Grand River Band of Indians "is not the collective rights holder".

HDI seeks to represent and bind all citizens of the Haudenosaunee Confederacy, wherever they are located, and join/intervene as a party in the Litigation in order to represent the interests of the Haudenosaunee Confederacy and its citizens which, HDI submits, are affected by the Litigation. HDI, accordingly, seeks a court order appointing it as a representative of the Haudenosaunee Confederacy in the Litigation. If that order is granted, all decisions and findings in the Litigation will be binding on the Haudenosaunee Confederacy, its Chiefs and Councils, and all its citizens, as will any agreements amongst counsel for the parties in respect of the conduct of the litigation.

Copies of the following court documents are accessible at this URL: <https://www.gilbertslaw.ca/post/cv-18-594281>

1. The parties' current pleadings;
2. HDI's motion materials and proposed draft pleading;
3. The order of Justice Sanfilippo dated September 21, 2022 attaching this Notice and the case management endorsement of Justice Sanfilippo dated September 21, 2022.

This motion is expected to be heard in January 2023. For parties looking for more information or who may wish to participate in this motion, please contact HDI's counsel below no later than **October 24, 2022**:

Tim Gilbert, Gilbert's LLP (tim@gilbertslaw.ca, 416-703-1100, with copy to dumigan@gilbertslaw.ca and dylan@gilbertslaw.ca)

Musical Instruments



1. Behringer SX2442FX Studio/live Mixer with dual Multi-FX processors, separate mains out. 2 monitor sends, separate subwoofer sent with volume control
 2. 32 band musical EQ with Feedback Destroyer, Limiter ect.
 3. 100 foot 16X4 snake with case
 4. 1500 watt stereo amp
 5. 2 Yorkdale speakers with stands
 6. 2 Wharfedale monitors
 7. 8 mics with case
 8. 4 Direct boxes
 9. Drum Kit mic set with condenser overhead mics
 10. numerous mic cords
 11. numerous speaker cords
 12. numerous adapter cords
 13. numerous mic stands
 14. Professionally custom build metal trailer with metal lockable lid
 15. power cords
- Everything that is needed to rlo a 500-1000 outdoor concert.
Valued at 4-5 thousand. Listed price 4 thousand.
Milt Elliott 416-450-2345 mjelliott@rogers.com

Notice

ATTENTION ALL CRAFTERS - SIX NATIONS ARTS & CRAFTS CLUB

There will be no Craft Sale at JC Hill School for the Six Nations Art & Crafts Club this year. For Vendors that Pre-paid their booth space in 2019, your monies can be picked up on October 1, 2022 - I will be parked beside the Library on the park side between 11 am and 1 pm - Grey Ford Taurus.

Marjorie Henhawk - Past Committee Member

Thanksgiving Dinner

Community Unity
Don't Be Alone
Come Enjoy a
Complimentary
Thanksgiving Dinner
Sat. Oct. 1, 2022
4:30 - 6:00
At Youth & Family Centre
1527 4th Line
Hosted by
Ohsweken Baptist
Church

Thank You

Thank You

I'd like to acknowledge and thank my family and friends who came out to help me after I suddenly had to have emergency surgery to save my life on July 20, 2022. I didn't have to ask, they just took charge, had an idea and organized a spaghetti fundraiser while I was off work for six weeks. I want to thank everyone who did the setup, sold tickets, bought meals, donated prizes, runners, cooked and cleaned up. Nya weh Shogwayadihs'oh for extending my time and for sending the Angels that watch over me, Dr. Fisola for her expertise in surgery, 3rd Floor nurses at Norfolk General Hospital for their amazing care, to my Mom, Ida Martin for still being the best Mom, Chris & Luanne Martin & family, Gary & Jule Jamieson & family, Beth King & family, Jeannie Martin, Nick Anderson, Rose Anderson, Josh, Leenah, Iris, Trystan, William & Annabel Martin, Riki, Jay, Liberty & Lennon Lickers, Mallory Martin & Thristan Herman, Joey Doolittle, Katsitsionhawi Hill, Owerahwistos & Iehnekanoronhstha Doolittle, Aunt Mary Longboat, Deb Aaron & Isaac Day, Isaiiah Aaron, Liam Aaron and Tracy Aaron, Auntie Barb & Vicki. Nya Weh to everyone who sent food, monetary donations, helped at the fundraiser, sent healing prayers and hugs: Kev Martin, Miles to Go Cancer Support Group, Victor Bomberry, Carol Cunningham, Brenda Mt. Pleasant, Cheri Martin, Nick Martin, Tammy Skye, Karen Bomberry, Shan Jacobs, Kathy & Bill, Karen & Monte, Bedge Vyse, Dawn Russell, Dodie Russell, Katie Maracle, Rose Thomas, Heather Longboat-Comej & family, Rhonda Maracle, Dean Warren at Sandusk Golf Course, Chrissy Doolittle, Barb Miller, Louise Bottenfield, Al Sault & Sharlene, Rhonda Longboat, Amanda Snow, Terri Monture, Kelley McDonnell & Mark Hill, Tony Martin, Nancy Pierce, Tyler Bomberry, Rebecca Jamieson, Tess Inksetter & family, Brooke Vokes, Kim Sault, Faith Wilson, Amy Jacobs, Dianne Sault, Michelle Farmer Fuller & family, Phil & Linda Sault, Carolyn Martin, my CKRZ FM family (Amos Keye Jr, Diane Kohoko, Josh Miller, Al Sault, Kathy Montour, Ralph Summers, Josh & Jake), Sue Martin, Sandi & Mike Montour, Ganohkwa Sra Family, CKRZ Radio Bingo Brandi Martin & staff, my BRISC family (Trevor Martin, Brittany Powless, Jessica Miller-Williams, Sheryl Henry, Jay Smith, Alex Muldonado, Leigh Hill, Maxine Hess, Mya Myke), Leenie Hill, Cheryl & Barry Hill, Theresa Mt. Pleasant, Shannon Jamieson, Stacy Skye & staff at Cayuga Convenience, Nick Wyman & Serena Lucas, Lesley Davis, Patty Davis, Betts Doxtator from Everything Cornhusk, Darlene Butler, Rebecca Hill, Monica Staats, Roz and Jheri Jamieson from JJamieson Creative. If I forgot anyone, I deeply apologize and it's not intentional. We tried our best to keep track of everything. Your generosity and kindness will be treasured forever. Special mention to Mallory Mae who has stayed with me while I recovered, organized my house and wouldn't let me lift a finger.

Much love, Lori Harris

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF JONATHAN MARTIN

GILBERT'S LLP

125 Queens Quay East, 8th Floor
Waterfront Innovation Centre
Toronto, Ontario M5A 0Z6

Tim Gilbert (LSO# 30665U)

tim@gilbertslaw.ca

Colin Carruthers (LSO# 67699P)

colin@gilbertslaw.ca

Thomas Dumigan (LSO# 74988P)

tdumigan@gilbertslaw.ca

Jack MacDonald (LSO# 79639L)

jack@gilbertslaw.ca

Dylan Gibbs (LSO# 82465F)

dylan@gilbertslaw.ca

Tel: 416.703.1100

Fax: 416.703.7422

Lawyers for the Haudenosaunee Development Institute

TAB 7

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

AFFIDAVIT OF KARIZMA DEFRIETAS-BARNES
(Sworn November 5, 2022)

I, Karizma Defrietas-Barnes, of the City of Brampton, in the Province of Ontario, MAKE OATH AND SAY as follows:

1. I am a legal assistant at Gilbert's LLP, lawyers for the moving party, the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), as appointed by the Haudenosaunee Confederacy Chiefs Council, on behalf of the Haudenosaunee Confederacy, and as such have knowledge of the facts contained herein except where the facts are stated to be based on information and belief, in which case I believe the facts stated are true.

2. I attach the following correspondence between Benjamin Doolittle and Tim Gilbert as **Exhibit "A"**:

- (a) an email dated September 24, 2022 from Benjamin Doolittle to Tim Gilbert;
- (b) an email dated October 12, 2022 from Tim Gilbert to Benjamin Doolittle;

- (c) an email dated October 14, 2022 from Benjamin Doolittle to Tim Gilbert; and
- (d) an email dated October 24, 2022 from Tim Gilbert to Benjamin Doolittle.

3. I attach the following correspondence between [REDACTED] and Gilbert's LLP as **Exhibit "B"**:

- (a) an email dated October 17, 2022 from [REDACTED] to Tim Gilbert, Thomas Dumigan, and Dylan Gibbs;
- (b) an email dated October 24, 2022 from Tim Gilbert to [REDACTED]
- (c) an email dated October 24, 2022 from [REDACTED] to Tim Gilbert, Thomas Dumigan, and Dylan Gibbs; and
- (d) a second email dated October 24, 2022 from [REDACTED] to Tim Gilbert, Thomas Dumigan, and Dylan Gibbs.

4. I attach the following correspondence between Leanna Bomberry and Gilbert's LLP as **Exhibit "C"**:

- (a) an email dated October 19, 2022 from Leanna Bomberry to Tim Gilbert, Thomas Dumigan, and Dylan Gibbs; and
- (b) a letter dated October 24, 2022 from Tim Gilbert to Leanna Bomberry.

5. I attach as **Exhibit "D"** a letter dated October 20, 2022 from Hodiskeagehda (Men's Fire of the Grand River Territory) to Tim Gilbert, Thomas Dumigan, Dylan Gibbs, and Jack MacDonald and Rebecca Torrance, counsel for the Plaintiff.

6. I attach the following correspondence between the Mohawk Nation Council of Chiefs and Gilbert's LLP as **Exhibit "E"**:

- (a) a letter dated October 24, 2022 from Bula Hill to Tim Gilbert; and
- (b) a letter dated October 27, 2022 from Tim Gilbert to Bula Hill.

7. I attach the following correspondence between the On^yota a:ka Lotiyaneshu and Gilbert's LLP as **Exhibit "F"**:

- (a) a letter dated October 24, 2022 from the On^yota a:ka Lotiyaneshu to Tim Gilbert, Thomas Dumigan, and Dylan Gibbs; and
- (b) a letter dated October 27, 2022, from Tim Gilbert to the On^yota a:ka Lotiyaneshu.

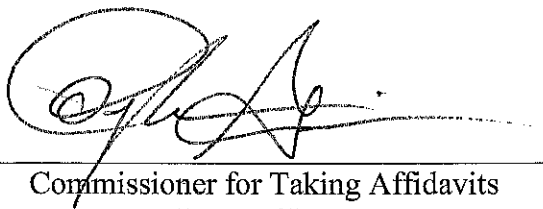
8. I attach the following correspondence between the Mohawks of the Bay of Quinte and Gilbert's LLP as **Exhibit "G"**:

- (a) a letter dated October 28, 2022 from Don Maracle to Tim Gilbert; and
- (b) an email dated October 28, 2022 from Thomas Dumigan to Bonny Maracle, with attachments excluding the ZIP file.

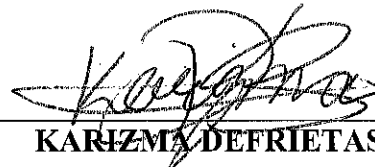
9. I attach as **Exhibit "H"** a letter dated October 31, 2022 from Abram Benedict, Grand Chief of the Mohawk Council of Akwesasne to Tim Gilbert.

SWORN before me at the city of Toronto, in the Province of Ontario, this 3rd day of November 2022.

}



Commissioner for Taking Affidavits
Dylan Gibbs
(LSO# 82465F)



KARIZMA DEFRIETAS-BARNES

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This is Exhibit "A" to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Commissioner for Taking Affidavits
Dylan Gibbs
(LSO# 82465F)

Dylan Gibbs

From: Secretary-General Benjamin Doolittle U.E. <benjamin.doolittle@mohawkuniversity.org>
Sent: September 24, 2022 3:37 PM
To: Tim Gilbert
Cc: Dylan Gibbs; Thomas Dumigan; Lonny Bomberry; aarondetlor@gmail.com; aarondetlor@hdi.land
Subject: RE: Forced Representation of So Called Haudenosaunee

Dear TIM GILBERT, Managing Partner for Gilbert Law.

My name is Secretary-General Benjamin Doolittle UE, for the Mohawk Nation of Grand River Country, DBA Mohawk University. I am the 6th grandson of the late Colonel Joseph Brant, he was designated as a United Empire Loyalist and bears the honorific UEL as a post-nominal, as the posterity of the late J Brant, I also possess the honorific title that does show a high degree of certainty of my connection to the late Colonel as well as a provable legal connection from me to the Haldimand Pledge of 1779 and Proclamation of 1784.

It is our position that the Haudenosaunee Development Institute and the Haudenosaunee Confederacy Chiefs Council inclusive of Chiefs and Clanmothers, do not have a legal interest or right to represent the Haldimand Proclamation interests or the Heirs, the Haldimand rights are non-indigenous hereditary provision to the Mohawk Posterity which I will explain in short order.

The Grand River Mohawks, Legal Posterity: In 1779, Sir Frederick Haldimand, Captain-General and Commander-in-Chief of the Province of Quebec, ratified a pledge to the mohawk of the three villages, and five years later, in 1784, Frederick Haldimand issued a proclamation concluding the transaction of that pledge. Setting the Grand River Territory apart prior to confederation. On December 24, 1791, Canada was required to confirm the Haldimand proclamation to uphold the honor of the crown. The Canadian government pledged its faith to the Mohawks of the Grand River and Bay of Quinte. The proclamation (an imperial instrument) of 1784 has never been formally denounced.

Four Corners of the Instrument and Legal Posterity, Who is technically named?

HALDIMAND PLEDGE OF 1779, Ratified promise Mohawk of Canojaharie, Tikondarago, and Aughugo.
HALDIMAND PROCLAMATION OF 1784, Transaction closing promise to Mohawk posterity.
DORCHESTER'S PROCLAMATION OF 1789, Mark of Honour to discriminate posterity.
SIMCOE PROCLAMATION OF 1796, Heritage registry to ascertain standing in the transaction.

The Pledge of 1779 was the original intention, only three Mohawk villages were named, and the Six Nations were not included in this document, which leaves the Haldimand Proclamation of 1784 that established the Haldimand Tract. This transactional instrument does include the Five Nations, however, because they are noted as "such others" of the Five Nations they are named as third-party to the transaction.

The term "Such Other" or Stranger refers to a person who is not a party to a particular transaction. In Kirk v. Morris, 40 Ala. 225 (Ala. 1866), it was observed that the word "stranger" was substituted for the words "or some other person." However, both were intended to mean the same thing, namely, a person not a party to the suit, who acts for the benefit of the defendant in attachment. This Means HDI lacks proper standing and cannot be delegated by SUCH OTHERS to represent this interest. Mohawk descendants from the noted three villages have first rights.

Additionally, there is a little-known flaw in the Haldimand Proclamation, it does not name anyone in a natural capacity to inherit the interest, this flaw was fixed by Lord Dorchester's Order-in-Council of 1789 to attach a mark

of honor to posterity and the Simcoe Proclamation of 1796, wherein, descendants from the three mohawk villages could register their heritage to ascertain a true beneficiary connection to the ratified Haldimand pledge of 1779. From the Simcoe Proclamation of 1796 ... "to the end that their posterity might be discriminated from (the then) future settlers in the parish registers and rolls of the militia of their respective district, and other public remembrances of the Province, as proper objects, by their persevering in the fidelity and conduct so honorable to their ancestors, for distinguished benefits and privileges;" but as such registry has not been generally made; and as it is still necessary to ascertain the persons and families upon the lands now about to be confirmed to them."

To advise you also, The Haldimand Tract was conveyed to the Mohawk Posterity for their Exclusive benefit, the Simcoe Patent of 1793 was outright rejected by the Mohawks of Grand River, for not being for the benefit of the Mohawks.

"Which them (Canojaharie, Tikondarago, and Aughugo) and their posterity are to enjoy forever."

My office must and does take exception to the Haudenosaunee Confederacy as a rightsholder or holding any legal rights or interest in the Haldimand Pledge of 1779 as a ratified treaty and the Haldimand Proclamation as a transactional instrument.

The offer by the Haudenosaunee Development Institute on behalf of the Haudenosaunee Confederacy Chiefs Council is rejected for cause, To wit: "The Litigation concerns, among other things, rights stemming from the Haldimand Proclamation of 1784 and Simcoe Patent of 1793, and alleges breaches of treaty and fiduciary duty and a failure to account, and seeks remedies including compensation." ... "a declaration that the Haudenosaunee Confederacy is the collective rightsholder in respect of the rights and interests asserted in the action" by the plaintiff, and that the Six Nations of the Grand River Band of Indians "is not the collective rightsholder".

--

Sincerely,
Benjamin Doolittle U.E.
Secretary-General
Office of Secretary General for the
Mohawk Nation of Grand River Country
Mohawk Domain [Without Canada]



The Office of Secretary-General for the
Mohawk Nation of Grand River Country
(["MOHAWK UNIVERSITY"](#))



Thomas Dumigan

From: Tim Gilbert <tim@gilbertslaw.ca>
Sent: Wednesday, October 12, 2022 4:57 PM
To: Secretary-General Benjamin Doolittle U.E.
Cc: Thomas Dumigan; Dylan Gibbs
Subject: Re: Forced Representation of So Called Haudenosaunee

Hello Mr. Doolittle:

Thank you for your email.

While we disagree with some of the issues you raise in your email, we believe there are several points of alignment in respect of the Six Nations of the Grand River Band of Indians' litigation and with matters raised in our client's motion to join/intervene and its proposed draft pleading. We welcome the opportunity to continue the conversation. If you wish, please let us know your availability for a call or meeting.

We also note that we act for HDI, and you may wish to consult a lawyer in respect of these matters.

Yours truly,

Tim

Tim Gilbert
 Gilbert's LLP
 Lawyers | Patent and Trademark Agents

Tel: 416.703.1100
 Fax: 416.703.7422
www.gilbertslaw.ca



Waterfront Innovation Centre
 125 Queens Quay East, 8th Floor
 P.O. Box 19
 Toronto, Ontario M5A 0Z6
 Canada



This e-mail is confidential and may contain privileged information. If you are not an intended recipient, please delete this e-mail and notify us immediately. Any unauthorized use or disclosure is prohibited.





Patent 1000
Tim Gilbert
Recommended Individual 2021



Patent 1000
Gilbert's LLP
Recommended Firm 2021

From: Secretary-General Benjamin Doolittle U.E. <benjamin.doolittle@mohawkuniversity.org>
Sent: Saturday, September 24, 2022 3:36 PM
To: Tim Gilbert <tim@gilbertslaw.ca>
Cc: Dylan Gibbs <dylan@gilbertslaw.ca>; Thomas Dumigan <tdumigan@gilbertslaw.ca>; Lonny Bomberry <lonnybomberry@sixnations.ca>; aarondetlor@gmail.com <aarondetlor@gmail.com>; aarondetlor@hdi.land <aarondetlor@hdi.land>
Subject: RE: Forced Representation of So Called Haudenosaunee

Dear TIM GILBERT, Managing Partner for Gilbert Law.

My name is Secretary-General Benjamin Doolittle UE, for the Mohawk Nation of Grand River Country, DBA Mohawk University. I am the 6th grandson of the late Colonel Joseph Brant, he was designated as a United Empire Loyalist and bears the honorific UEL as a post-nominal, as the posterity of the late J Brant, I also possess the honorific title that does show a high degree of certainty of my connection to the late Colonel as well as a provable legal connection from me to the Haldimand Pledge of 1779 and Proclamation of 1784.

It is our position that the Haudenosaunee Development Institute and the Haudenosaunee Confederacy Chiefs Council inclusive of Chiefs and Clanmothers, do not have a legal interest or right to represent the Haldimand Proclamation interests or the Heirs, the Haldimand rights are non-indigenous hereditary provision to the Mohawk Posterity which I will explain in short order.

The Grand River Mohawks, Legal Posterity: In 1779, Sir Frederick Haldimand, Captain-General and Commander-in-Chief of the Province of Quebec, ratified a pledge to the mohawk of the three villages, and five years later, in 1784, Frederick Haldimand issued a proclamation concluding the transaction of that pledge. Setting the Grand River Territory apart prior to confederation. On December 24, 1791, Canada was required to confirm the Haldimand proclamation to uphold the honor of the crown. The Canadian government pledged its faith to the Mohawks of the Grand River and Bay of Quinte. The proclamation (an imperial instrument) of 1784 has never been formally denounced.

Four Corners of the Instrument and Legal Posterity, Who is technically named?

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HALDIMAND PROCLAMATION OF 1784, Transaction closing promise to Mohawk posterity.
DORCHESTER'S PROCLAMATION OF 1789, Mark of Honour to discriminate posterity.
SIMCOE PROCLAMATION OF 1796, Heritage registry to ascertain standing in the transaction.

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The term "Such Other" or Stranger refers to a person who is not a party to a particular transaction. In Kirk v. Morris, 40 Ala. 225 (Ala. 1866), it was observed that the word "stranger" was substituted for the words "or some other person." However, both were intended to mean the same thing, namely, a person not a party to the suit, who acts for the benefit of the defendant in attachment. This Means HDI lacks proper standing and cannot be

delegated by SUCH OTHERS to represent this interest. Mohawk descendants from the noted three villages have first rights.

Additionally, there is a little-known flaw in the Haldimand Proclamation, it does not name anyone in a natural capacity to inherit the interest, this flaw was fixed by Lord Dorchester's Order-in-Council of 1789 to attach a mark of honor to posterity and the Simcoe Proclamation of 1796, wherein, descendants from the three mohawk villages could register their heritage to ascertain a true beneficiary connection to the ratified Haldimand pledge of 1779. From the Simcoe Proclamation of 1796 ... "to the end that their posterity might be discriminated from (the then) future settlers in the parish registers and rolls of the militia of their respective district, and other public remembrances of the Province, as proper objects, by their persevering in the fidelity and conduct so honorable to their ancestors, for distinguished benefits and privileges;" but as such registry has not been generally made; and as it is still necessary to ascertain the persons and families upon the lands now about to be confirmed to them."

To advise you also, The Haldimand Tract was conveyed to the Mohawk Posterity for their Exclusive benefit, the Simcoe Patent of 1793 was outright rejected by the Mohawks of Grand River, for not being for the benefit of the Mohawks.

"Which them (Canojaharie, Tikondarago, and Aughugo) and their posterity are to enjoy forever."

My office must and does take exception to the Haudenosaunee Confederacy as a rightsholder or holding any legal rights or interest in the Haldimand Pledge of 1779 as a ratified treaty and the Haldimand Proclamation as a transactional instrument.

The offer by the Haudenosaunee Development Institute on behalf of the Haudenosaunee Confederacy Chiefs Council is rejected for cause, To wit: "The Litigation concerns, among other things, rights stemming from the Haldimand Proclamation of 1784 and Simcoe Patent of 1793, and alleges breaches of treaty and fiduciary duty and a failure to account, and seeks remedies including compensation." ... "a declaration that the Haudenosaunee Confederacy is the collective rightsholder in respect of the rights and interests asserted in the action" by the plaintiff, and that the Six Nations of the Grand River Band of Indians "is not the collective rightsholder".

--

Sincerely,
Benjamin Doolittle U.E.
Secretary-General
Office of Secretary General for the
Mohawk Nation of Grand River Country
Mohawk Domain [Without Canada]



The Office of Secretary-General for the
Mohawk Nation of Grand River Country
(["MOHAWK UNIVERSITY"](#))



Thomas Dumigan

From: Secretary-General Benjamin Doolittle U.E. <benjamin.doolittle@mohawkuniversity.org>
Sent: Friday, October 14, 2022 11:02 AM
To: Tim Gilbert
Cc: Thomas Dumigan; Dylan Gibbs
Subject: Re: Forced Representation of So Called Haudenosaunee

Hello Tim,

Thank you for your reply to my email, you brought up that you as the (actor) representative for HDI disagree with some points we have raised, If you could enumerate them that would be very helpful for me to understand your agreements and disagreements better, Perhaps additional information or cited authorities will help you to understand our considerations and our approach to the rejection of the HDI offer, and the agreed and disagreed points more clearly. You also mention some points that may be in alignment with your clients, I would be interested to know what that is in detail. I would like to meet with you personally Tim, I hope in the next few weeks. This would be a no-strings-attached meeting to better understand our approach and to share ideas about the course HDI and Six Nations Band Council/Six Nations of the Grand River Band of Indians are taking in regard to assuming the collective rights and will of the people regarding the original Haldimand Proclamation of 1784, inclusive of the Haldimand Pledge of 1779 and the known legal Mohawk posterity, a free and independent people.

Please review our paper on how to trace the legal Mohawk posterity using the four corners doctrine, the documented method shows a total certainty that cannot be ascertained or emulated by any other means. Please take time to become familiar with the lineage diagrams in the document. These diagrams illustrate why both HCCC and the Six Nations Band Council et al. lose control of the known posterity even with proper clanology or band designation.

(Hyperlink: <https://grandback.org/pdf/legal-posterity.pdf>) To help facilitate our conversation, please acquaint yourself with the book Joseph Brant if you are not already.

Kind Regards,

--

Sincerely,
 Benjamin Doolittle U.E.
 Secretary General
 Office of Secretary General for the
 Mohawk Nation of Grand River Country
 Mohawk Domain [Without Canada]



The Office of Secretary-General for the
 Mohawk Nation of Grand River Country
 ("[MOHAWK UNIVERSITY](#)")



Thomas Dumigan

From: Tim Gilbert <tim@gilbertslaw.ca>
Sent: Monday, October 24, 2022 2:34 PM
To: Secretary-General Benjamin Doolittle U.E.
Cc: Thomas Dumigan; Dylan Gibbs
Subject: Re: Forced Representation of So Called Haudenosaunee

Hello Mr. Doolittle:

Could we propose as a starting point to send you a full copy of HDI's motion materials? It is fairly voluminous, but we would be pleased to courier you a hard copy if you provide us an address to do so to. These set out HDI's position on the motion and proposed position in the action (by way of a draft pleading). Electronic copies of HDI's motion materials (all of the documents starting with a "2") are accessible at the following website as well: <https://www.gilbertslaw.ca/post/cv-18-594281>

In the meantime, please note that pursuant to the Order of Justice Sanfilippo dated September 21, 2022, parties are to advise by today if they wish to participate in HDI's motion.

We also note again that we act for HDI, and you may wish to consult a lawyer in respect of these matters.

All the best,

Tim

Tim Gilbert
 Gilbert's LLP
 Lawyers | Patent and Trademark Agents

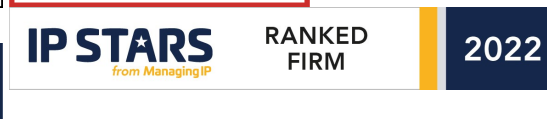
Tel: 416.703.1100
 Fax: 416.703.7422
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Patent 1000
Tim Gilbert
Recommended Individual 2021



Patent 1000
Gilbert's LLP
Recommended Firm 2021

From: Secretary-General Benjamin Doolittle U.E. <benjamin.doolittle@mohawkuniversity.org>

Sent: Friday, October 14, 2022 11:01 AM

To: Tim Gilbert <tim@gilbertslaw.ca>

Cc: Thomas Dumigan <tumigan@gilbertslaw.ca>; Dylan Gibbs <dylan@gilbertslaw.ca>

Subject: Re: Forced Representation of So Called Haudenosaunee

Hello Tim,

Thank you for your reply to my email, you brought up that you as the (actor) representative for HDI disagree with some points we have raised, If you could enumerate them that would be very helpful for me to understand your agreements and disagreements better, Perhaps additional information or cited authorities will help you to understand our considerations and our approach to the rejection of the HDI offer, and the agreed and disagreed points more clearly. You also mention some points that may be in alignment with your clients, I would be interested to know what that is in detail. I would like to meet with you personally Tim, I hope in the next few weeks. This would be a no-strings-attached meeting to better understand our approach and to share ideas about the course HDI and Six Nations Band Council/Six Nations of the Grand River Band of Indians are taking in regard to assuming the collective rights and will of the people regarding the original Haldimand Proclamation of 1784, inclusive of the Haldimand Pledge of 1779 and the known legal Mohawk posterity, a free and independent people.

Please review our paper on how to trace the legal Mohawk posterity using the four corners doctrine, the documented method shows a total certainty that cannot be ascertained or emulated by any other means. Please take time to become familiar with the lineage diagrams in the document. These diagrams illustrate why both HCCC and the Six Nations Band Council et al. lose control of the known posterity even with proper clanology or band designation.

(Hyperlink: <https://grandback.org/pdf/legal-posterity.pdf>) To help facilitate our conversation, please acquaint yourself with the book Joseph Brant if you are not already.

Kind Regards,

--

Sincerely,

Benjamin Doolittle U.E.

Secretary General

Office of Secretary General for the

Mohawk Nation of Grand River Country

Mohawk Domain [Without Canada]



The Office of Secretary-General for the

Mohawk Nation of Grand River Country
("MOHAWK UNIVERSITY")



9L < =6=H'B

This is Exhibit "D" to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Commissioner for Taking Affidavits
Dylan Gibbs
(LSO# 82465F)

Thomas Dumigan

From: [REDACTED]
Sent: Monday, October 17, 2022 10:19 AM
To: Tim Gilbert; Thomas Dumigan; Dylan Gibbs
Subject: RE Haldimand Tract Litigation & HDI Claims

Good morning,

I am a member of the Six Nations of the Grand River First Nation where I both work and reside. I have resided at Six Nations for the duration of my life (40+years). I was adopted by my paternal grandmother who was Tuscarora Bear Clan. My paternal grandfather's grandmother was a Clan Mother for the Onondaga Eel Clan. Her son, my great-grandfather was an Onondaga Eel Chief within the Haudenosaunee Confederacy for a period of time in his life.

Although I was never raised in the traditional lifestyle of the Haudenosaunee, I have tremendous respect for those in my community who dedicate their lives to learning the language and practicing and teaching the ceremonies and culture to others. Over the past decade I have dedicated much of my time in learning all of the above which makes me prouder to call myself Haudenosaunee.

I live here at Six Nations and I am well aware of the political divide between SNGR Elected Council and the Haudenosaunee Confederacy Council that has tossed my community into complete chaos for the past 100 years. In 1924, the RCMP invaded my community and forcefully removed the traditional governing system, and replaced it with the elected/band council system. It's been complete chaos ever since and the ongoing hostility has adversely impacted the mental health & well-being a quality of life of the entire community.

We are a community of high rates of addictions, high rates of suicide, high rates of overdose and overall higher rates of mortality and sudden and violent deaths then the general population in Canada.

I have respect for both governing bodies. SNGR Elected Council provides employment opportunities to hundreds of community members who otherwise would not have jobs or would have to leave their community in search of employment. SNGR Elected Council provides many different programs and services offered to community members in terms of: mental health & well-being; addictions counselling; domestic/family violence prevention programs; children's mental health programming, afterschool programs for children and youth, etc.

I use to feel in my younger days that both governing bodies made me feel like I had to choose sides, either us or them mentality. That pressure still exists today however, as I'd like to think I am now older and wiser, I feel this is very childish behaviour to imply to someone, especially coming from leadership positions, that we must choose sides. Why can't we all work together? Why can't we have strong leadership in any of our governing systems, who spend their energy trying to bring the community together, instead of fuelling division.

HDI operates for the most part in complete secrecy. Many community members have issues with Aaron Detlor, who although may be a legal representative for the HDI, but is not a member of the Six Nations community and has been told multiple times in the past by the women, to remove himself from this community. A few years ago, it was discovered by a group of women in the community that Mr. Detlor has worked for other Indigenous communities in the past and has robbed them of millions of dollars that he felt

he was entitled to. This was taken to court and he was ordered to pay the money back. It was because of this, that hundreds if not thousands of community members here at Six Nations asked for his removal from the HDI and from the community. He refused to leave.

The Director of HDI at that time, who would have hired Mr. Detlor, was eventually terminated from her position a couple of years ago.

Many of the things that HDI is doing, has not been approved of by the community. For example, HDI recently halted the clean-up of Chedoke Creek in Hamilton, not over environmental concerns, which would have been justifiable, but because Mr. Detlor demanded an obscene amount of funds to hire environmental monitors. This was very foolish on his part, especially because he seems to be the only person making these high level decisions while hiding behind HDI and claiming that he speaks for all Haudenosaunee people. He certainly does not speak for me.


Chedoke Creek is in a state of environmental crisis and the City of Hamilton would have also had environmental monitors on-site as well as SNGR Elected Council's Lands & Resources Department Environmental Monitors.

I am writing this email today as I wish to express my concerns upon learning that the Haudenosaunee Development Institute is trying to claim that they are the voice for all Haudenosaunee people and communities. This is not true. Many people, including myself, do not acknowledge the HDI as it is a registered corporation of Ontario (or Canada?), and not the spokesperson for Haudenosaunee people. To my understanding, they have never taken this to the community here at Six Nations for consultation and consent which would seem like a prerequisite when making such substantial claims. I do not speak for my community, only for myself, when I say that the Haudenosaunee Confederacy has many followers in the community at Six Nations of the Grand River, but even though they support the Chief and Clan Mother System of governance, they do not support the HDI as the HDI has a long history of not being financially accountable to the community.

I do not believe that HDI has any stake in the current litigation. I do believe that the Haudenosaunee Chiefs and Clan Mothers are entitled to be a part of the litigation proceedings however, this is something that would need to come directly from them aka the Haudenosaunee Confederacy Council and not HDI.

I ultimately wish that we wouldn't have to rely on the court system to make decisions regarding us. It's a complete shame that after all these years, we still can't work out our own issues and require outside assistance, from the very same colonial system that put us in this mess in the first place.

Again, I would like to reiterate that as a Haudenosaunee woman residing at and a member of Six Nations of the Grand River (not to be confused with SNGR Elected Council), Aaron Detlor nor the HDI speak for or are representing me in this litigation claim. I'm sure I speak for hundreds if not thousands of other women in this community but hopefully they take the time to email you individually to express their concerns.

Thank you and have a great day,


Thomas Dumigan

From: Tim Gilbert <tim@gilbertslaw.ca>
Sent: Monday, October 24, 2022 4:26 PM
To: [REDACTED] Thomas Dumigan; Dylan Gibbs
Subject: Re: RE Haldimand Tract Litigation & HDI Claims
Attachments: 2022 10 20 A. Detlor Letter to the Editor (Two Row Times).pdf

Hello [REDACTED]

Thank you for your email.

HDI has taken steps in the Band's litigation at the HCCC's direction. HDI's position advanced on behalf of the HCCC is, among other things, that the treaty issues engaged by Band's litigation are more appropriate for Nation-to-Nation negotiation. For more information, you can access HDI's draft pleading at the following link (item 2e), along with its other motion materials: <https://www.gilbertslaw.ca/post/cv-18-594281>

I have also attached, for your reference, a Letter to the Editor of the Two Row Times by Mr. Detlor that addresses some of the issues raised in your email.

Please note that pursuant to the Order of Justice Sanfilippo dated September 21, 2022, parties are to advise by today if they wish to participate in HDI's motion.

We also note that we act for HDI, and you may wish to consult a lawyer in respect of these matters.

All the best,

Tim

Tim Gilbert
 Gilbert's LLP
 Lawyers | Patent and Trademark Agents

Tel: 416.703.1100
 Fax: 416.703.7422
www.gilbertslaw.ca



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 Canada



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**Patent 1000**

Tim Gilbert

Recommended Individual 2021

**Patent 1000**

Gilbert's LLP

Recommended Firm 2021

From: [REDACTED]**Sent:** Monday, October 17, 2022 10:19 AM**To:** Tim Gilbert <tim@gilbertslaw.ca>; Thomas Dumigan <tdumigan@gilbertslaw.ca>; Dylan Gibbs <dylan@gilbertslaw.ca>**Subject:** RE Haldimand Tract Litigation & HDI Claims

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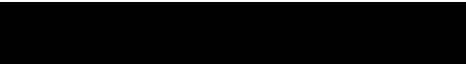
I am writing this email today as I wish to express my concerns upon learning that the Haudenosaunee Development Institute is trying to claim that they are the voice for all Haudenosaunee people and communities. This is not true. Many people, including myself, do not acknowledge the HDI as it is a registered corporation of Ontario (or Canada?), and not the spokesperson for Haudenosaunee people. To my understanding, they have never taken this to the community here at Six Nations for consultation and consent which would seem like a prerequisite when making such substantial claims. I do not speak for my community, only for myself, when I say that the Haudenosaunee Confederacy has many followers in the community at Six Nations of the Grand River, but even though they support the Chief and Clan Mother System of governance, they do not support the HDI as the HDI has a long history of not being financially accountable to the community.

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Again, I would like to reiterate that as a Haudenosaunee woman residing at and a member of Six Nations of the Grand River (not to be confused with SNGR Elected Council), Aaron Detlor nor the HDI speak for or are representing me in this litigation claim. I'm sure I speak for hundreds if not thousands of other women in this community but hopefully they take the time to email you individually to express their concerns.

Thank you and have a great day,



October 20, 2022

My name is Karihwahyontari (Aaron Detlor). I am *Kanienkehake* of the Wolf Clan.

I am a delegate for the Haudenosaunee Confederacy Chiefs Council at Ohsweken (the HCCC) acting as a member of the Haudenosaunee Development Institute (the HDI). The HDI has been tasked and directed by the HCCC to facilitate engagement with the Haudenosaunee in respect of development issues concerning Haudenosaunee territories, as well as Haudenosaunee treaty rights and interests.

I am writing to comment on an article published on October 5, 2022 titled “*Six Nations based HCCC/HDI are not the government of the Haudenosaunee*”. The article does not indicate an author.

That article, as far as I can tell, concerns three matters:

- (1) The nature of the HCCC and the HDI;
- (2) HDI’s recent efforts to intervene in the litigation commenced by the Six Nations of the Grand River Band of Indians (*i.e.*, a creation of Canada’s *Indian Act*); and
- (3) HDI’s recent efforts to ensure that the City of Hamilton’s proposed work at Chedoke Creek is carried out appropriately, given its consequences for Haudenosaunee rights and interests.

While I have been delegated by the HCCC, the following are my own comments. This is my position as an HDI delegate and my comments reflect the directions I have received, but are not expressly those of the HCCC.

The HCCC is not “Provincially Incorporated”

On the first point above: the author is right that there are over 100,000 Haudenosaunee throughout northeastern North America. But (and I don’t think the author would disagree with me), Haudenosaunee people are not “Haudenosaunee” by virtue of being “members” of, or “enrolled” with, Canadian “Bands” under the Canadian *Indian Act* or American “Tribes” under the Bureau of Indian Affairs.

Despite the efforts of the Canadian and American governments to divide the Haudenosaunee into these federally administered “Bands” and “Tribes”, the Haudenosaunee are, and have always been, one people. We share deep cultural, spiritual, ceremonial, and jurisdictional roots. We also share, as the author correctly notes, a “traditional” form of governance. That governance (*i.e.* the Confederacy Chiefs and Clan Mothers) has been operating since it was formed in time immemorial, and continues to operate. It is unfortunate to read the author’s suggestion that that governance is no more.

The HCCC is a part of that governance. It acts in unison with the Grand Council at Onondaga. The author’s suggestion that the HCCC is “provincially incorporated” is simply not true—the HCCC

far pre-dates the formation of Canada or Ontario. It was holding Council long before Confederation, and has done so continuously for at least 230 years. The HCCC continues to work toward a better future for all Haudenosaunee generations to come.

Ensuring the Haudenosaunee have a voice in the Indian Act Band's Litigation

This flows into the second point above. As much of the Grand River community is aware, the “Six Nations of the Grand River Band of Indians” (*i.e.*, a “band” under Canada’s *Indian Act*) commenced litigation against Canada and Ontario seeking to assert rights stemming from the Haldimand Proclamation of 1784 and the Simcoe Patent of 1793. The litigation seeks compensation arising from breaches relates to those rights. I will refer to this as the “Band Litigation”. It is my understanding that, if successful, the Band Litigation will likely result in the termination or surrender of rights under the Haldimand Proclamation.

The Band Litigation was commenced at the direction of the Six Nations of the Grand River elected council, on behalf of members of the Six Nations of the Grand River Band of Indians (*i.e.*, the band that is defined by Canada’s *Indian Act*).

The Band Litigation was not commenced on behalf of all Haudenosaunee, including the nearly 100,000 Haudenosaunee registered to other “bands” and “tribes” in Canada and the United States that are mentioned by the author. This is despite (I would argue) the fact that the Band Litigation concerns rights belonging to the whole Haudenosaunee collective.

The Band Litigation would lead one to believe that the Haldimand Proclamation concerns rights belonging only to members of a particular *Indian Act* band. However, the HCCC’s view is that the Haldimand Proclamation, for example, concerns rights belonging to all Haudenosaunee. For example, there is no reason that only some Mohawks, or only some Oneidas, or only some Senecas or Cayugas, have rights, or that many Haudenosaunee throughout Turtle Island are denied rights flowing from the Haldimand Proclamation of 1784 simply because they are not registered to “Six Nations of the Grand River Band of Indians”, an *Indian Act* band that is a far later creation of Canadian legislation.

This is why the HCCC decided to get involved. It formally asked HDI to do so at a Council meeting on April 2, 2022. HDI served a motion to intervene in the Band Litigation on June 10, 2022 (which includes a proposal that HDI be appointed as representative), and served a proposed pleading on September 9, 2022. HDI has been transparent and has provided broad notice of its steps to intervene to Haudenosaunee communities throughout North America. All of HDI’s materials can be accessed publicly here: <https://www.gilbertslaw.ca/post/cv-18-594281>. We are always open to discussing any issues that anyone may have.

HDI’s motion will be heard on January 30-31, 2023, and I would encourage everyone to read the materials for themselves before jumping to conclusions.

In brief, HDI’s position is that the Band Litigation concerns rights of the Haudenosaunee at large. Not rights of an *Indian Act* band. The Haudenosaunee are the people with the centuries-old treaty relationship with the Crown. The *Indian Act* band is not.

HDI, at the HCCC's direction, has brought this position to the attention of the Court. It has also brought to the attention of the Court the position that the issues in the Band Litigation are, due to the nature of the Haudenosaunee-Crown relationship founded in the Two Row Wampum and Silver Chain Covenant, best suited for Nation-to-Nation negotiation and mediation, rather than adverse litigation in Ontario Court. We do not believe that Haudenosaunee rights and interests should be litigated in a foreign court, and have reluctantly entered into the process to ensure there is a record for future generations to be able to read and understand the Haudenosaunee position.

Despite the serious collective rights at stake, no other party has taken a position in the broader Canadian political and legal system to preserve Haudenosaunee rights in a venue that the Crown can't ignore.

HDI disagrees with the Six Nations of the Grand River Band's position that it, as a creation of the *Indian Act*, is the holder of rights under the Haldimand Proclamation. This is an important stand, as sacred rights belonging collectively to all Haudenosaunee are at stake. I don't read the author as stating that the *Indian Act* band is the only proper rightsholder but, if they do, I would invite their comment.

Ensuring the Chedoke Creek Clean-up is Adequate

I now want to turn to HDI's other engagement work and, specifically, Chedoke Creek.

HDI is a department of HCCC formed in 2007 to facilitate engagement with the HCCC in respect of Haudenosaunee lands. HDI acts pursuant to delegated authority from the HCCC.

HDI's involvement with the cleanup of Chedoke Creek is undertaken pursuant to its mandate.

HDI has legitimate concerns that the City of Hamilton's current plan for remediating the Creek—dredging the creek bed—may have serious detrimental and irreversible consequences for the plants and animals that call it home. These effects transfer to our treaty rights: our right to fish, to hunt, to harvest, and to use. Accordingly, we want to work *with* the City in cleaning up their spill rather than let the City plow ahead without Haudenosaunee interests in mind.

A collaborative effort, however, requires that HDI be on the same page as the City. This entails the review of materials so that we can fully understand the situation and assess it from a Haudenosaunee perspective.

HDI is not claiming an exorbitant fee for reviewing these materials. Rather, the fee is proportional to the considerable time and technical expertise required. And the City of Hamilton should cover it. It should not be controversial that, given the gulf between HDI/HCCC and City resources, HDI/HCCC should not foot the bill for a review of the City's plans that affect our lands (plans that were made necessary as a result of the City's negligence).

Our silence on these issues of engagement and funding will only embolden the City to continue making decisions without our input on the pretense of "this is in the public interest"—a stance

aligned with colonialism that we have vigorously fought back against throughout most of the government's development efforts.

Make no mistake: the Creek needs to be cleaned up. We as a people, however, should want it done in a manner that does not damage the environment further and is respectful of Haudenosaunee rights. Dredging may be the answer, but until we are able to adequately review the materials and consider our options, we cannot sign off on this course of action with a sound mind.

In peace and friendship,

Karihwahyontari (Aaron Detlor)

Thomas Dumigan

From: [REDACTED]
Sent: Monday, October 24, 2022 4:57 PM
To: Tim Gilbert; Thomas Dumigan; Dylan Gibbs
Subject: Re: RE Haldimand Tract Litigation & HDI Claims

Also, to clarify, although I did agree with some parts of the anonymous article in the Two Row, I am not the author.

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From: [REDACTED]
Sent: Monday, October 24, 2022 4:46:16 PM
To: Tim Gilbert <tim@gilbertslaw.ca>; Thomas Dumigan <tdumigan@gilbertslaw.ca>; Dylan Gibbs <dylan@gilbertslaw.ca>
Subject: Re: RE Haldimand Tract Litigation & HDI Claims

I think Mr Detlor misread the Two Row Times article which alleges that HDI is a provincial corporation, not HCCC. In this statement, he only addresses HCCC not being incorporated. Seems like a play on words.

My understanding as well is that HDI has a Policy Analyst whose responsibility would be to read environmental assessments, archaeology reports as well as other reports sent to them by municipalities, including the City of Hamilton and the proposed clean up of Cherokee Creek. If that's true, why then would HDI be demanding more funds from the City?

Also, I agree with elected council in this matter that this land claim only applies to Six Nations of the Grand River band members because it concerns the Haldimand Tract. Yes, we are one people under the Confederacy, but this is a litigation concerning only the people at Six Nations therefore, any lands or funds that arise from this litigation proceeding should go directly to the community at Six Nations of the Grand River territory.

Again, I'd like to reiterate my statement that Aaron Detlor does not represent me nor does HDI, as a Haudenosaunee woman who has resided at Six Nations of the Grand River my entire life, 40+ years.

I understand your interest in this matter is to represent HDI and HDI alone.

Thank you for your time.

[REDACTED]

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From: Tim Gilbert <tim@gilbertslaw.ca>
Sent: Monday, October 24, 2022 4:25:47 PM
To: [REDACTED] Thomas Dumigan <tdumigan@gilbertslaw.ca>; Dylan Gibbs <dylan@gilbertslaw.ca>
Subject: Re: RE Haldimand Tract Litigation & HDI Claims

Hello [REDACTED]

Thank you for your email.

HDI has taken steps in the Band's litigation at the HCCC's direction. HDI's position advanced on behalf of the HCCC is, among other things, that the treaty issues engaged by Band's litigation are more appropriate for Nation-to-Nation negotiation. For more information, you can access HDI's draft pleading at the following link (item 2e), along with its other motion materials: <https://www.gilbertslaw.ca/post/cv-18-594281>

I have also attached, for your reference, a Letter to the Editor of the Two Row Times by Mr. Detlor that addresses some of the issues raised in your email.

Please note that pursuant to the Order of Justice Sanfilippo dated September 21, 2022, parties are to advise by today if they wish to participate in HDI's motion.

We also note that we act for HDI, and you may wish to consult a lawyer in respect of these matters.

All the best,

Tim

Tim Gilbert
Gilbert's LLP
Lawyers | Patent and Trademark Agents

Tel: 416.703.1100
Fax: 416.703.7422
www.gilbertslaw.ca



Waterfront Innovation Centre
125 Queens Quay East, 8th Floor
P.O. Box 19
Toronto, Ontario M5A 0Z6
Canada



This e-mail is confidential and may contain privileged information. If you are not an intended recipient, please delete this e-mail and notify us immediately. Any unauthorized use or disclosure is prohibited.



From: [REDACTED]
Sent: Monday, October 17, 2022 10:19 AM
To: Tim Gilbert <tim@gilbertslaw.ca>; Thomas Dumigan <tdumigan@gilbertslaw.ca>; Dylan Gibbs <dylan@gilbertslaw.ca>
Subject: RE Haldimand Tract Litigation & HDI Claims

Good morning,

I am a member of the Six Nations of the Grand River First Nation where I both work and reside. I have resided at Six Nations for the duration of my life (40+years). I was adopted by my paternal grandmother who was Tuscarora Bear Clan. My paternal grandfather's grandmother was a Clan Mother for the Onondaga Eel Clan. Her son, my great-grandfather was an Onondaga Eel Chief within the Haudenosaunee Confederacy for a period of time in his life.

Although I was never raised in the traditional lifestyle of the Haudenosaunee, I have tremendous respect for those in my community who dedicate their lives to learning the language and practicing and teaching the ceremonies and culture to others. Over the past decade I have dedicated much of my time in learning all of the above which makes me prouder to call myself Haudenosaunee.

I live here at Six Nations and I am well aware of the political divide between SNGR Elected Council and the Haudenosaunee Confederacy Council that has tossed my community into complete chaos for the past 100 years. In 1924, the RCMP invaded my community and forcefully removed the traditional governing system, and replaced it with the elected/band council system. It's been complete chaos ever since and the ongoing hostility has adversely impacted the mental health & well-being a quality of life of the entire community.

We are a community of high rates of addictions, high rates of suicide, high rates of overdose and overall higher rates of mortality and sudden and violent deaths then the general population in Canada.

I have respect for both governing bodies. SNGR Elected Council provides employment opportunities to hundreds of community members who otherwise would not have jobs or would have to leave their community in search of employment. SNGR Elected Council provides many different programs and services offered to community members in terms of: mental health & well-being; addictions counselling; domestic/family violence prevention programs; children's mental health programming, afterschool programs for children and youth, etc.

I use to feel in my younger days that both governing bodies made me feel like I had to choose sides, either us or them mentality. That pressure still exists today however, as I'd like to think I am now older and wiser, I feel this is very childish behaviour to imply to someone, especially coming from leadership positions, that we must choose sides. Why can't we all work together? Why can't we have strong leadership in any of our governing systems, who spend their energy trying to bring the community together, instead of fuelling division.

HDI operates for the most part in complete secrecy. Many community members have issues with Aaron Detlor, who although may be a legal representative for the HDI, but is not a member of the Six Nations community and has been told multiple times in the past by the women, to remove himself from this community. A few years ago, it was discovered by a group of women in the community that Mr. Detlor has worked for other Indigenous communities in the past and has robbed them of millions of dollars that he felt he was entitled to. This was taken to court and he was ordered to pay the money back. It was because of this, that hundreds if not thousands of community members here at Six Nations asked for his removal from the HDI and from the community. He refused to leave.

The Director of HDI at that time, who would have hired Mr. Detlor, was eventually terminated from her position a couple of years ago.

Many of the things that HDI is doing, has not been approved of by the community. For example, HDI recently halted the clean-up of Chedoke Creek in Hamilton, not over environmental concerns, which would have been justifiable, but because Mr. Detlor demanded an obscene amount of funds to hire environmental monitors. This was very foolish on his part, especially because he seems to be the only person making these high level decisions while hiding behind HDI and claiming that he speaks for all Haudenosaunee people. He certainly does not speak for me.


Chedoke Creek is in a state of environmental crisis and the City of Hamilton would have also had environmental monitors on-site as well as SNGR Elected Council's Lands & Resources Department Environmental Monitors.

I am writing this email today as I wish to express my concerns upon learning that the Haudenosaunee Development Institute is trying to claim that they are the voice for all Haudenosaunee people and communities. This is not true. Many people, including myself, do not acknowledge the HDI as it is a registered corporation of Ontario (or Canada?), and not the spokesperson for Haudenosaunee people. To my understanding, they have never taken this to the community here at Six Nations for consultation and consent which would seem like a prerequisite when making such substantial claims. I do not speak for my community, only for myself, when I say that the Haudenosaunee Confederacy has many followers in the community at Six Nations of the Grand River, but even though they support the Chief and Clan Mother System of governance, they do not support the HDI as the HDI has a long history of not being financially accountable to the community.

I do not believe that HDI has any stake in the current litigation. I do believe that the Haudenosaunee Chiefs and Clan Mothers are entitled to be a part of the litigation proceedings however, this is something that would need to come directly from them aka the Haudenosaunee Confederacy Council and not HDI.

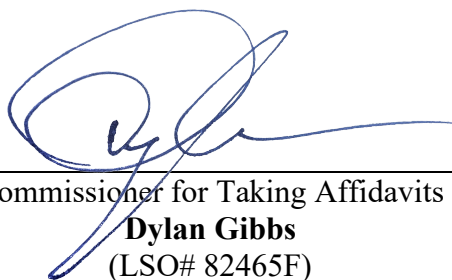
I ultimately wish that we wouldn't have to rely on the court system to make decisions regarding us. It's a complete shame that after all these years, we still can't work out our own issues and require outside assistance, from the very same colonial system that put us in this mess in the first place.

Again, I would like to reiterate that as a Haudenosaunee woman residing at and a member of Six Nations of the Grand River (not to be confused with SNGR Elected Council), Aaron Detlor nor the HDI speak for or are representing me in this litigation claim. I'm sure I speak for hundreds if not thousands of other women in this community but hopefully they take the time to email you individually to express their concerns.

Thank you and have a great day,


9L < =6=H°C

This is Exhibit "E" to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Dylan Gibbs
(LSO# 82465F)

Thomas Dumigan

From: Leanna Bomberry <leannabomberry@outlook.com>
Sent: Wednesday, October 19, 2022 10:06 AM
To: Tim Gilbert; Thomas Dumigan; Dylan Gibbs; snyeri@sixnations.ca
Subject: Haldimand Tract Litigation

Good Morning: My name is Leanna Bomberry and I am Ongwehonwe living on the lands on Six Nations. I have been here my whole life since 1971 as well as several generations before me. I have 3 adult children and 2 grandchildren that live here also. My clan family is extensive that lives here also. There isn't much time to gather them so I am speaking for myself.

I am bringing to light that taking matters into a court system is a direct conflict of interest and has potential to be bias towards colonial authority as a system under Canada and the Crown.

My concern is that Six Nations of the Grand River Band Council and HCCC council are taking our matters into an outside our circle court system. I do not agree, as well as do not give my consent to have decisions made there binded to the Canadian systems as stated in the court papers from HCCC. It is my life goal to free myself from the hand cuffs, policy, acts of the colonial governments and the harm caused to the Ongwehonwe. I was born free from the beginning of time and my cell memory in my body carries this.

As per the original instructions of the Peace Maker the women were given the responsibility of the land as they had to ensure that themselves and their children could sustain themselves. I have birth rights form the beginning of time for land to sustain myself and my family and it comes from creator of all living things. The man made rules since the Doctrine of Discovery were forced upon Ongwehonwe and that is not right. The 2 Row Wampum Treaty was trampled on there is no honor in agreements made from history.

My recommendation is that the land matters not be done in a court system but to have the outside our system present their position and the Ongwehonwe have ours. We would gather a group of people to handle our side and so would the outside of our circle. The outcomes are completed based on facts and evidence and no one needs to be binded to the court system controlled by government. Is outside our circle knowledgeable in Ongwehonwe ways? Why is it that we just have to be under a court system to solve our land issues ?

I would also like to see a forensic audit over seen by members of our community and the funds that have been used by the outside given back to our people. Fraud is a criminal offence and why is it allowed when it comes to Ongwehonwe people?

If you would like further information please contact me at leannabomberry@outlook.com or my cell number is [519-732-2974](tel:519-732-2974).

Sent from my iPhone Leanna Bomberry

Thomas Dumigan

From: Tim Gilbert <tim@gilbertslaw.ca>
Sent: Monday, October 24, 2022 2:38 PM
To: Leanna Bomberry; Thomas Dumigan; Dylan Gibbs; snyeri@sixnations.ca
Subject: Re: Haldimand Tract Litigation

Hello Ms. Bomberry:

Thank you for your email.

HDI's position advanced on behalf of the HCCC is, among other things, that the treaty issues engaged by Band's litigation are more appropriate for Nation-to-Nation negotiation. This position can be found in HDI's draft pleading you can access at the following link (item 2e), along with its other motion materials:
<https://www.gilbertslaw.ca/post/cv-18-594281>

Please note that pursuant to the Order of Justice Sanfilippo dated September 21, 2022, parties are to advise by today if they wish to participate in HDI's motion.

We also note that we act for HDI, and you may wish to consult a lawyer in respect of these matters.

All the best,

Tim

Tim Gilbert
 Gilbert's LLP
 Lawyers | Patent and Trademark Agents

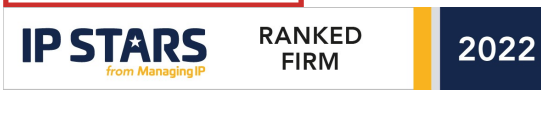
Tel: 416.703.1100
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Patent 1000
 Tim Gilbert
 Recommended Individual 2021



Patent 1000
 Gilbert's LLP
 Recommended Firm 2021

From: Leanna Bomberry <leannabomberry@outlook.com>

Sent: Wednesday, October 19, 2022 10:05 AM

To: Tim Gilbert <tim@gilbertslaw.ca>; Thomas Dumigan <tdumigan@gilbertslaw.ca>; Dylan Gibbs <dylan@gilbertslaw.ca>; snyeri@sixnations.ca <snyeri@sixnations.ca>

Subject: Haldimand Tract Litigation

Good Morning: My name is Leanna Bomberry and I am Ongwehonwe living on the lands on Six Nations. I have been here my whole life since 1971 as well as several generations before me. I have 3 adult children and 2 grandchildren that live here also. My clan family is extensive that lives here also. There isn't much time to gather them so I am speaking for myself.

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My concern is that Six Nations of the Grand River Band Council and HCCC council are taking our matters into an outside our circle court system. I do not agree, as well as do not give my consent to have decisions made there binded to the Canadian systems as stated in the court papers from HCCC. It is my life goal to free myself from the hand cuffs, policy, acts of the colonial governments and the harm caused to the Ongwehonwe. I was born free from the beginning of time and my cell memory in my body carries this.

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My recommendation is that the land matters not be done in a court system but to have the outside our system present their position and the Ongwehonwe have ours. We would gather a group of people to handle our side and so would the outside of our circle. The outcomes are completed based on facts and evidence and no one needs to be binded to the court system controlled by government. Is outside our circle knowledgeable in Ongwehonwe ways? Why is it that we just have to be under a court system to solve our land issues ?

I would also like to see a forensic audit over seen by members of our community and the funds that have been used by the outside given back to our people. Fraud is a criminal offence and why is it allowed when it comes to Ongwehonwe people?

If you would like further information please contact me at leannabomberry@outlook.com or my cell number is [519-732-2974](tel:519-732-2974).

Sent from my iPhone Leanna Bomberry

9L < =6=H'D

This is Exhibit "F" to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Commissioner for Taking Affidavits
Dylan Gibbs
(LSO# 82465F)

Hodiskeagehda



Men's Fire of the Six Nations Grand River Territory

724 Chiefswood Road, RR #6, Hagersville, ON N0A 1H0

519.445.2493

20/10/2022

Hodiskeagehda (Men's Fire of the Grand River (Territory)) Court file CV 18- 594281

Objection Letter to HDI' Court Motion

Blake, Cassel & Graydon LLP
119 Bay Street 4000
Toronto, Ontario M5L 1A9
Rebecca Torrance (LSO#75734)
Tel 416 863 2930

GILBERT'S LLP
181 University Avenue, Suite 2200
Toronto, Ontario M5H 3M7
Tim Gilbert (LSO# 30665U)
tim@gilbertslaw.ca
Thomas Dumigan (LSO# 74988P)
tdumigan@gilbertslaw.ca
Jack MacDonald (LSO# 79639L)
jack@gilbertslaw.ca
Dylan Gibbs (LSO# 82465F)
dylan@gilbertslaw.ca
Tel: (416) 703-1100
Fax: (416) 703-7422

The Hodiskeagehda (Men's Fire of the Grand River Territory) object to this request of HDI to be named the official Land negotiator or Stewards of the All-Land Claim issues within the Haldimand Tract. The Haudenosaunee Iroquois Confederacy Treaty Indian (Community) wish to convey our concerns according to the Kay'nelakowa People ("Great Law People") Hodiskeagehda (Men's Fire of the Grand River Territory)

The people have not consented to such a request. The people must be offered details of this new structure to land claims and be an unanimous decision. Nothing of this nature has been presented to the people of Turtle Island prior to the filing of this motion. The Haudenosaunee Iroquois Confederacy Treaty Indians also, wish to inform the Band Council of the negotiation of any land claims proceeds go to the people of Six Nations of the Grand River Territory.

Respectfully submitted Hodiskeagehda (Men's Fire of the Grand River Territory)

Secretary for the Hodiskeagehda Wilfred DaveyWolf Clan.....Latudalasluni

20/01/2022 pg. 1

Signature Hodiskeagehda Bill Monture.....Turtle Clan...Karihwanoron..... Mohawk

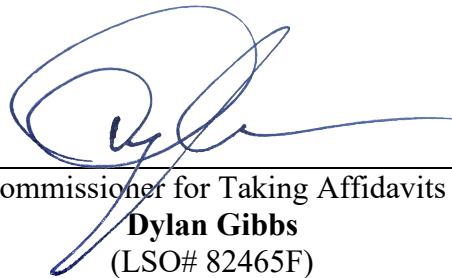
Signature Hodiskeagehda Chuck Montour ...Turtle Clan.....Mohawk

Signature Hodiskeagehda xxxxxxxxxxxx.....Oneida

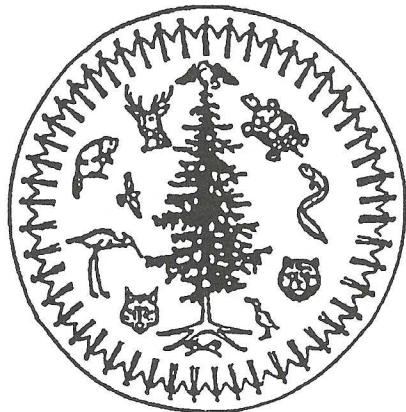
Signature Hodiskeagehda xxxxxxxxxxxx.....Cayuga

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This is Exhibit "G" to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Dylan Gibbs
(LSO# 82465F)



HAUDENOSAUNEE

MOHAWK - ONEIDA - ONONDAGA - CAYUGA - SENECA - TUSCARORA

MOHAWK NATION COUNCIL OF CHIEFS
VIA BOX 366 ROOSEVELTOWN NEW YORK 13683

Telephone (518) 358-3381 Fax (518) 358-3488

October 24, 2022

The Mohawk Nation Council of Chiefs has recently become aware of the request of the Haudenosaunee Development Institute to intervene in the accounting action brought by the Six Nations of the Grand River elected Council against the Crown.

The Mohawk Nation Council of Chiefs is the traditional government of the Kanienkeha:ka, the Mohawk Nation, one of the original five nations of the Haudenosaunee.

The Haudenosaunee Development Institute was created by the Haudenosaunee Council of Chiefs at the Grand River to deal with the environmental, archaeological and social effects of third party development in the original Grand River Territory. If it is to represent the Mohawk Nation Council of Chiefs, it requires our explicit consent.

We recognize the deep importance of the matter before the court to all Haudenosaunee. While the land involved is restricted to the Grand River Territory, we all share an interest in that land. We are all going to be affected by the court's findings of fact, law, principle and precedent.

A Haudenosaunee intervention is prudent, but we our laws require us to take the time to make our decisions carefully and wisely.

We have not had the opportunity to examine the pleadings in this matter. We have not seen the application to intervene. We have not had the opportunity to consult with our people – our clan families – or to consider this matter carefully in council and in our several communities.

We therefore request and adjournment of this matter for two months to permit us to review the relevant documents, and to conduct the necessary discussions.

Sken:nen/In Peace

B. Hill/Admin.

MNCC



October 27, 2022

Delivered By Email to bhill@mohawknation.org

Mohawk Nation Council of Chiefs
Attn: Bula Hill, Administrator
Box 366
Rooseveltown, New York
13683

Dear Bula Hill:

**Re: *Six Nations of the Grand River Band of Indians v Canada (AG) et al*
Court File No. CV-18-594281**

Thank you for your letter of October 24th. We will bring your letter to the attention of counsel for the parties in the above-captioned matter and the Court.

We will also ask the Haudenosaunee Development Institute (“HDI”) to provide a copy of your letter to the Haudenosaunee Confederacy Chiefs Council (“HCCC”), pursuant to the direction of the HCCC on April 2, 2022 (see, e.g., letter from Hohahes, Leroy Hill dated July 4, 2022 at HDI Supplementary Motion Record Tab 1A).

A full set of HDI’s materials can be found at the following link, where items beginning with a “2” are those tendered by HDI: <https://www.gilbertslaw.ca/post/cv-18-594281>. Should you require a hard copy of these materials, please let us know and we would be pleased to provide one.

Please note that we act for HDI and you may wish to consult a lawyer in respect of these matters.

All the best,

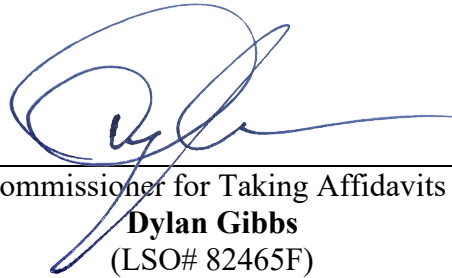
GILBERT’S LLP

A handwritten signature in blue ink, appearing to read 'Tim Gilbert', written over a light blue circular background.

Tim Gilbert

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This is Exhibit "H" to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Dylan Gibbs
(LSO# 82465F)



HAUDENOSAUNEE

MOHAWK - ONEIDA - ONONDAGA - CAYUGA - SENECA - TUSCARORA

ONEIDA COUNCIL OF CHIEFS
SOUTHWOLD P.O.
ONTARIO N0L 2G0

October 24, 2022

The On^yota a:ka Lotiyaneshu is the traditional government of the On^yota a:ka Nation, and is one of the Six Nations of the Haudenosaunee Confederacy.

The On^yota a:ka Lotiyaneshu (Oneida Nation Council of Chiefs) have recently become aware of the request of the Haudenosaunee Development Institute to intervene in the action brought by the Six Nations of the Grand River elected Council against the Crown.

The On^yota a:ka Lotiyaneshu understand the Haudenosaunee Development Institute (HDI) was created by the Haudenosaunee Council of Chiefs at the Grand River to deal with local issues such as land, governance, environmental and archaeological matters, the social effects and the many issues that relate to third party development in the original Grand River Territory.

We recognize the critical importance of the jurisdictional matters brought before the court to all Haudenosaunee. While the issues involved are restricted to the Grand River Territory, the On^yota a:ka Lotiyaneshu share an interest in the jurisdictional matters raised by the actions of the Six Nations of the Grand River elected Council.

It is likely the external authorities will attempt to impose the findings of this court action on the Haudenosaunee Confederacy as it may relate to facts, law, principle and precedent.

A Haudenosaunee intervention is prudent, however Haudenosaunee Confederacy law require us to take the time to make our decisions carefully and wisely.

The On^yota a:ka Lotiyaneshu have not had the opportunity to examine the pleadings in this matter and have not had the opportunity to consider this matter carefully in Council.

We therefore request and adjournment of this matter to permit the On^yota a:ka Lotiyaneshu us to review the relevant documents, and to conduct the necessary discussions.

Finally, to be clear, should HDI wish to represent the On^yota a:ka Lotiyaneshu, it requires our explicit consent to do so.

In Friendship;

Otatshete

Otatshete

On^yota a:ka Lotiyaneshu



October 27, 2022

Delivered By Email

Otatshete
On^yota a:ka Lotiyaneshu
Oneida Council of Chiefs
Southwold, ON
N0L 2G0

Dear Otatshete:

**Re: *Six Nations of the Grand River Band of Indians v Canada (AG) et al*
Court File No. CV-18-594281**

Thank you for your letter of October 24th. We will bring your letter to the attention of counsel for the parties in the above-captioned matter and the Court.

We will also ask the Haudenosaunee Development Institute (“**HDI**”) to provide a copy of your letter to the Haudenosaunee Confederacy Chiefs Council (“**HCCC**”), pursuant to the direction of the HCCC on April 2, 2022 (see, e.g., letter from Hohahes, Leroy Hill dated July 4, 2022 at HDI Supplementary Motion Record Tab 1A).

A full set of HDI’s materials can be found at the following link, where items beginning with a “2” are those tendered by HDI: <<https://www.gilbertslaw.ca/post/cv-18-594281>>. Should you require a hard copy of these materials, please let us know and we would be pleased to provide one.

Please note that we act for HDI and you may wish to consult a lawyer in respect of these matters.

All the best,

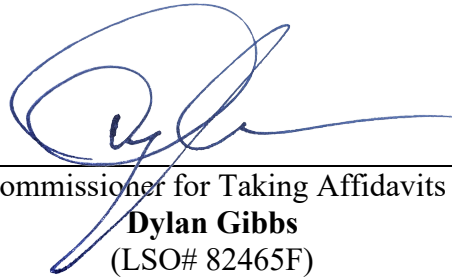
GILBERT’S LLP

A handwritten signature in blue ink, appearing to read 'Tim Gilbert', written over a light blue circular background.

Tim Gilbert

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This is Exhibit "I " to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Dylan Gibbs
(LSO# 82465F)



MOHAWKS OF THE BAY OF QUINTE

KENHTEKE KANYEN'KEHÁ:KA

TYENDINAGA MOHAWK COUNCIL

24 Meadow Drive, Tyendinaga Mohawk Territory, ON K0K 1X0

Phone 613-396-3424 Fax 613-396-3627

October 28, 2022

Mr. Tim Gilbert
 Gilbert's LLP
tim@gilbertslaw.ca

RE: Haudenosaunee Development Institute Notice of Motion

Dear Mr. Tim Gilbert:

On behalf of the Tyendinaga Mohawk Council, I am writing to make you aware of the Mohawks of the Bay of Quinte's position related to the Haudenosaunee Development Institute's Notice of Motion in respect of the legal proceedings in *Six Nations of the Grand River v. Canada (Attorney General) and His Majesty the King In Right of Ontario*.

At the Iroquois Caucus General Assembly held September 27-28, 2022, in Tyendinaga Mohawk Territory, Mohawks of the Bay of Quinte were made aware of the Notice of Motion filed by the Haudenosaunee Development Institute to become a party-intervenor in the court proceedings of the Six Nations of the Grand River regarding disputed lands. Iroquois Caucus communities were directed to find the court documents on-line on the Gilbert's LLP website.

Upon review of the court documents on-line, Mohawks of the Bay Quinte learned that on September 16, 2022, Justice Sanfilippo ordered the Haudenosaunee Development Institute, Brian Doolittle and Aaron Detlor, to provide a copy of (i) the notice attached to the Order as Schedule "A" (the "Notice"), (ii) its Notice of Motion dated June 10, 2022, (iii) its draft pleading dated September 9, 2022, and (iv) the September 16, 2022 Order, to Mohawks of the Bay Quinte, by mail, by September 23, 2022. As of the date of this letter, this information has not been received by the Mohawks of the Bay Quinte from the Haudenosaunee Development Institute, Brian Doolittle and Aaron Detlor.

The Haudenosaunee Development Institute has not properly communicated as ordered with the Mohawks of the Bay of Quinte, nor the Tyendinaga Mohawk Council, about their Notice of Motion in the Six Nations of the Grand River litigation. This raises an additional concern as to whether the Haudenosaunee Development Institute has properly communicated with community members of the Mohawks of the Bay of Quinte along with all the other citizens of

.../2

-2-

the Haudenosaunee Confederacy. The Mohawks of the Bay of Quinte states and records its objection to the attempt of the Haudenosaunee Development Institute to intervene in the Six Nations of the Grand River litigation without formal communication or consultation with all the citizens of the Haudenosaunee Confederacy.

The position of the Mohawks of the Bay of Quinte is that the Haudenosaunee Development Institute does not represent the Mohawks of the Bay of Quinte or our members despite their claim to “represent all citizens of the Haudenosaunee Confederacy.” Further, the Mohawks of the Bay of Quinte objects to the attempt by the Haudenosaunee Development Institute to be appointed as representative for all citizens of the Haudenosaunee Confederacy in the Six Nations of the Grand River litigation.

The Tyendinaga Mohawk Council has consistently fought to protect the rights, interests, and lands of the Mohawks of the Bay of Quinte to ensure our continued survival. As a Council, we have argued for our community’s benefit establishing long term agreements that will continue to protect our community into the future.

Sincerely,



R. Don Maracle, Chief
Mohawks of the Bay of Quinte

cc: Thomas Dumigan
tdumigan@gilbertslaw.ca

Dylan Gibbs
dylan@gilbertslaw.ca

Joe Martin
snyeri@sixnations.ca

Thomas Dumigan

From: Thomas Dumigan <tdumigan@gilbertslaw.ca>
Sent: October 28, 2022 7:46 PM
To: Bonny Maracle; Tim Gilbert
Cc: markhill@sixnations.ca; Dylan Gibbs; snyeri@sixnations.ca; Chris Maracle; Josh Hill; Stacia Loft; Ted Maracle; Shelley Bowden; David Souliere; Lisa Maracle; Angela Maracle; Amsey Maracle
Subject: RE: Haudenosaunee Development Institute Notice of Motion
Attachments: 2022 09 26 Affidavit of Thomas Dumigan.pdf; Bay of Quinte Mohawk package.pdf; 2022 09 21 Package Enclosures (Mohawks Bay of Quinte).zip

Hello Bonny,

Thank you for your letter.

We sent a copy of the materials required by Justice Sanfilippo's order by mail to 24 Meadow Drive, Tyendinaga Mohawk Territory, ON, K0K 1X0 on September 21, 2022. A copy of an affidavit reflecting that, as well as an image of the package sent, are both enclosed for your reference.

The .zip folder attached also contains the materials that were enclosed in the package.

We will bring your letter to the attention of counsel for the parties in this matter, and to the Court.

All the best,

Thomas

Thomas Dumigan - He/Him
 Gilbert's LLP
 Lawyers | Patent and Trademark Agents

Dir: 416.703.3232
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 FIRM**

2022



Patent 1000
 Gilbert's LLP
 Recommended Firm 2021



From: Bonny Maracle <bonnym@mbq-tmt.org>

Sent: Friday, October 28, 2022 3:32 PM

To: Tim Gilbert <tim@gilbertslaw.ca>

Cc: markhill@sixnations.ca; Thomas Dumigan <tdumigan@gilbertslaw.ca>; Dylan Gibbs <dylan@gilbertslaw.ca>; snyeri@sixnations.ca; Chris Maracle <chrism@mbq-tmt.org>; Josh Hill <joshh@mbq-tmt.org>; Stacia Loft <stacial@mbq-tmt.org>; Ted Maracle <tedm@mbq-tmt.org>; Shelley Bowden <shelleyb@mbq-tmt.org>; David Souliere <cao@mbq-tmt.org>; Lisa Maracle <lisam@mbq-tmt.org>; Angela Maracle <angelam@mbq-tmt.org>; Amsey Maracle <chiefsassistant@mbq-tmt.org>

Subject: Haudenosaunee Development Institute Notice of Motion

Importance: High

Good Afternoon: attached is letter dated October 28, 2022 regarding the above from Chief R. Donald Maracle.

Thank You.

Bonny Bear Maracle

93

Gilbert's LLP
125 Queen's Quay East, 8th Floor
P.O. Box 19
Toronto, ON
M5H 3M7

Mohawks of the Bay of Quinte
24 Meadow Dr, Tyendinaga Mohawk Territory,
ON, K0K 1X0

Court File No. CV-18-594281

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

and

**THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE
QUEEN IN RIGHT OF ONTARIO**

Defendants

and

**THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE (AARON DETLOR AND
BRIAN DOOLITTLE), AS APPOINTED BY THE HAUDENOSAUNEE
CONFEDERACY CHIEFS COUNCIL, ON BEHALF OF THE HAUDENOSAUNEE
CONFEDERACY**

Moving Party

AFFIDAVIT OF THOMAS DUMIGAN

I, Thomas Dumigan, of the City of Toronto, in the Province of Ontario, MAKE OATH
AND SAY:

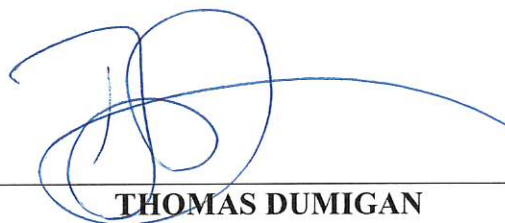
1. I am a lawyer at Gilbert's LLP, lawyers for the Haudenosaunee Development Institute (Aaron Detlor and Brian Doolittle), and, as such, have knowledge of the matters contained herein.
2. On September 21, 2022 at 7:00 PM, I sent a copy of (i) the notice attached as Schedule "A" to the Order of Justice Sanfilippo dated September 21, 2022 (the "**Notice**"), (ii) HDI's Notice of Motion dated June 10, 2022, (iii) HDI's draft pleading dated September 9, 2022, and (iv) the Order of Justice Sanfilippo dated September 21, 2022, to the following by mail:
 - (a) Mohawk Nation Longhouse P.O. Box 366, Rooseveltown, New York, 13683-0196;

- (b) Mohawk Council of Kahnawà:ke at PO Box 720, Kahnawake, QC, J0L 1B0;
- (c) Mohawks of Kanesatake at 681 Ste-Philomene Street, Kanesatake, QC, J0N 1E0;
- (d) Mohawks of the Bay of Quinte at 24 Meadow Drive, Tyendinaga Mohawk Territory, ON, K0K 1X0;
- (e) Mohawks of Wahta at 2664 Muskoka Road, Bala, ON, P0C 1A0; and
- (f) Oneida Nation of the Thames at RR 2, Southwold, ON, N0L 2G0.

SWORN before me at the city of Toronto, in the Province of Ontario, this 26th day of September 2022.



Commissioner for Taking Affidavits
Dylan Gibbs
(LSO# 82465F)



THOMAS DUMIGAN

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS
Plaintiff

-and-

THE ATTORNEY GENERAL OF CANADA *et al.*
Defendants

Court File No. CV-18-594281

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF THOMAS DUMIGAN

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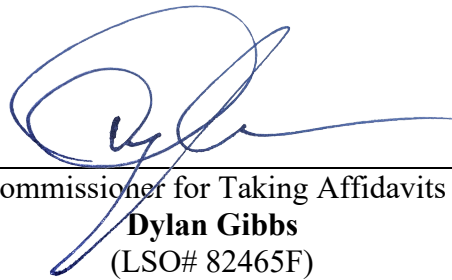
Dylan Gibbs (LSO# 82465F)
dylan@gilbertslaw.ca

Tel: 416.703.1100
Fax: 416.703.7422

Lawyers for the Haudenosaunee Development Institute

9L < =6=H'H

This is Exhibit "J" to the Affidavit of
Karizma Defreitas-Barnes, sworn this 5th day
of November, 2022



Dylan Gibbs
(LSO# 82465F)



Office of the Grand Chief

Kenténha/October 31, 2022

Tim Gilbert
Gilbert's LLP
125 Queens Quay East, 8th Floor
P.O. Box 19
Toronto, Ontario M5A 0Z6
tim@gilbertslaw.ca

**Re: Six Nations of the Grand River Band of Indians v Attorney General of Canada et al;
Haudenosaunee Development Institute Motion to Intervene**

Wa'tkwanonwera:ton/Greetings,

I am writing on behalf of the Mohawk Council of Akwesasne ("MCA") respecting the motion of the Haudenosaunee Development Institute ("HDI") to intervene in the above-captioned proceedings.

The Mohawks of Akwesasne form part of the Mohawk Nation which is one of the Nations of the Haudenosaunee, known as the Iroquois Confederacy or the Six Nations. The Mohawk Council of Akwesasne is one of three governing bodies recognized in Akwesasne along with the St. Regis Mohawk Tribal Council and the Mohawk Nation Council of Chiefs, each of which is identified in the Order of Justice Sanfilippo of September 21, 2022.

The MCA has not been consulted by the HDI concerning its intention to represent "all citizens of the Haudenosaunee Confederacy." In the absence of broad consultation of the governing bodies of the Mohawks of Akwesasne and those of the numerous Haudenosaunee communities identified in the Order, the MCA objects to the intervention of HDI in the proceedings or the appointment of HDI as a representative party.

Sken:nen / Peace

A handwritten signature in blue ink, appearing to read "Abram Benedict".

Abram Benedict
Grand Chief

Cc: David Feliciant for the Defendant Attorney General of Ontario
Anusha Aruliah for the Defendant Attorney General of Canada
Max Shapiro for the Plaintiff

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS
Plaintiff

-and-

THE ATTORNEY GENERAL OF CANADA *et al.*
Defendants

Court File No. CV-18-594281

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
TORONTO

AFFIDAVIT OF KARIZMA DEFREITAS-BARNES

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Lawyers for the Haudenosaunee Development Institute

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS
Plaintiff

-and- THE ATTORNEY GENERAL OF CANADA *et al.*
Defendants

Court File No. CV-18-594281

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
TORONTO

**THIRD SUPPLEMENTARY MOTION RECORD OF
THE HAUDENOSAUNEE DEVELOPMENT INSTITUTE**
(Motion for Joinder/Intervention)

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Lawyers for the Moving Party,
the Haudenosaunee Development Institute