

Toronto Court File No. CV-18-5942810000
(Originally Brantford Court File No. 406/95)

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 HIS MAJESTY THE
KING IN RIGHT OF ONTARIO

Defendants

and

THE MISSISSAUGAS OF THE CREDIT FIRST NATION

Intervenor

DEFENCE TO CROSSCLAIM
(OF THE CROWN IN RIGHT OF ONTARIO, RESPONDING TO THE CROSSCLAIM
OF THE CROWN IN RIGHT OF CANADA)

1. Ontario¹ denies the allegations contained in Canada's crossclaim.
2. Ontario repeats and relies upon the allegations and defences contained in the Ontario Defence, including reliance as applicable on *res judicata* and/or the equitable doctrine of laches and/or the *Limitations Act*, R.S.O. 1990, c. L. 15, as amended, and its predecessors.
3. Any liability to the Plaintiff in the action, which is denied, is a liability of the defendant Canada and not a liability of the defendant Ontario.

¹ Capitalized terms not otherwise defined have the meanings ascribed in the Further Amended Statement of Defence and Crossclaim of the Crown in Right of Ontario, amended September 15, 2023 (the "**Ontario Defence**").

4. Ontario requests that Canada's crossclaim be dismissed with costs.

January 15, 2024

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SIX NATIONS OF THE GRAND and THE ATTORNEY GENERAL OF
RIVER BAND OF INDIANS CANADA, ET AL.
Plaintiff Defendants

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Proceeding commenced at TORONTO

DEFENCE TO CROSSCLAIM

(of the Crown in Right of Ontario, responding to the
crossclaim of the Crown in Right of Canada)

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