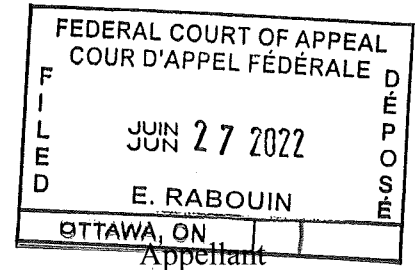


Court File No. *A-137-22*

FEDERAL COURT OF APPEAL

BETWEEN:

HER MAJESTY THE QUEEN



- and -

**CHEYENNE PAMA MUKOS STONECHILD,
LORI-LYNN DAVID, AND STEVEN HICKS**

Respondents

NOTICE OF APPEAL

TO THE RESPONDENTS:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the appellant. The relief claimed by the appellant appears on the following page.

THIS APPEAL will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the appellant. The appellant requests that this appeal be heard at Vancouver.

IF YOU WISH TO OPPOSE THIS APPEAL, to receive notice of any step in the appeal or to be served with any documents in the appeal, you or a solicitor acting for you must prepare a notice of appearance in Form 341A prescribed by the *Federal Courts Rules* and serve it on the appellant's solicitor, or where the appellant is self-represented, on the appellant, WITHIN 10 DAYS of being served with this notice of appeal.

IF YOU INTEND TO SEEK A DIFFERENT DISPOSITION of the judgment appealed from, you must serve and file a notice of cross-appeal in Form 341B prescribed by the *Federal Courts Rules* instead of serving and filing a notice of appearance.

Copies of the *Federal Courts Rules*, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPEAL, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

Dated: June 27, 2022

Issued by: 
(Registry Officer)

Address of
local office: 90 Sparks Street
Ottawa, Ontario
K1A 0H9

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APPEAL

THE APPELLANT APPEALS to the Federal Court of Appeal pursuant to s. 27 of the *Federal Courts Act*, from the Order and Judgment of the Honourable Justice Phelan dated June 17, 2022, in *Stonechild et al. v. Her Majesty the Queen* (T-620-20) in which he certified the Respondents' action as a class proceeding ("the Order").

THE APPELLANT ASKS for the following relief:

1. An order setting aside the Order certifying the action as a class proceeding;
2. The Appellant does not seek costs; and
3. Such further and other relief as counsel may advise and this Honourable Court permits.

THE GROUNDS OF APPEAL are as follows:

1. The Federal Court erred in certifying the action as a class proceeding;
2. The Federal Court erred in finding that the claims of the class members raise common questions of law or fact;
3. The Federal Court erred in certifying common issues not supported by a basis in fact;
4. The Federal Court erred in certifying common issues not rationally connected to the pleadings;

5. The Federal Court erred in certifying common issues related to causation and damages without any evidence of a methodology for being able to determine such issues on a class-wide basis;
6. The Federal Court erred in finding that a class proceeding is the preferable procedure for the just and efficient resolution of the common questions of law or fact;
7. The Federal Court erred in placing the burden on the Defendant to establish that the criteria for certification have not been met; and
8. Such further and other grounds as counsel may advise and this Honourable Court permits.

The Appellant proposes Vancouver, British Columbia for the hearing.

June 27, 2022

Catharine Moore

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