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F I L E D	FEDERAL COURT- COUR FÉDÉRALE
July 24, 2023	
Abbie Abe	
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Court File No. T-1417-18

**FEDERAL COURT
CERTIFIED CLASS PROCEEDING**

Between:

**REGINALD PERCIVAL, ALLAN MEDRICK MCKAY,
IONA TEENA MCKAY AND LORNA WATTS**

Plaintiffs

and

HIS MAJESTY THE KING

Defendant

Brought pursuant to the *Federal Courts Rules*, SOR/98-106

AFFIDAVIT #2 OF IONA TEENA MCKAY

I, IONA TEENA MCKAY, of the Village of Laxgalts'ap/Greenville, BC, in the Province of British Columbia, SWEAR THAT:

1. I have personal knowledge of the facts and matters deposed to in this affidavit. Where facts are not within my personal knowledge, I have stated the source of that information, and I believe those facts to be true.
2. I am 67 years old. This affidavit is further to my affidavit sworn October 4, 2018, in which I described my experiences in the Boarding Homes Program. I rely on my first affidavit as I do not wish to repeat testimony which is painful for me. As described in my first affidavit, I continue to seek therapy for my injuries.
3. My lawyers kept me up to date in this lawsuit and I had regular communications with them. They advised me of their progress such as when we were certified as a class action, and of my duties as a court appointed representative plaintiff.

J.M

4. Since the lawsuit began, I have spoken to people in my community who are also survivors of the Boarding Homes Program about it. I have many friends and family who suffered while part of the Boarding Homes Program, and who went through similar things I did. I have told them all about this class action, and I know they are anxiously awaiting their claims applications. I tell all my friends and family to reach out to Klein Lawyers for more information and to keep informed on the progress of the litigation.

5. Although I was not able to attend the mediation in Toronto, I was briefed by telephone and I was pleased that an Agreement in Principle was obtained.

6. My lawyers kept me informed of their efforts to obtain a final settlement agreement and they explained its details and features to me. After discussing the Settlement Agreement with my lawyers, I urge this Honourable Court to approve it.

7. I am glad that this Settlement Agreement includes non-monetary benefits, such as the Foundation, which will help provide important resources to survivors of the Boarding Homes Program, and that the funds of the Foundation will contribute to commemoration, healing, languages, culture, heritage, wellness and reconciliation through education. Our communities need healing because of the intergenerational trauma that the Boarding Homes Program caused so many of our people to suffer. Our children continue to suffer from our trauma, and I'm glad that the funds of the Foundation will go toward healing and revitalization of Indigenous cultures and languages.

8. I like that the Settlement Agreement does not require me to give oral testimony about my injuries. I do not want to relive my injuries through oral testimony. I like that this Settlement Agreement allows proof of injury in writing, and I trust my first affidavit can provide that proof. However, even writing about the injuries suffered by the Class Members who are part of this litigation can be difficult, so I am also glad to see that the Settlement Agreement includes Class Member Support, which will provide mental health and emotional support services to individuals who suffered because of placement in the Boarding Homes Program.

9. I am also happy to see that Class Members can get individual legal help with their claims applications, and that Canada will pay lawyers who help Class Members with their claims five percent of the Category 2 Claims.

10. I am glad to see this case finally resolved and I hope that the compensation will help survivors, including people in my own community. Since the Agreement was signed, I have urged my friends and family who suffered because of the Boarding Homes Program to read it.

11. This Settlement Agreement means that I can walk with my head held high again, something that has been so hard to do because of what I suffered while forcibly placed in private homes through the Boarding Homes Program.

12. I was not physically present before the commissioner, but was linked with the commissioner utilizing video conference technology. I have sworn this affidavit via video technology in accordance with s. 53(2) of the *Federal Courts Act* and the guidelines from the Federal Court Practice Direction (COVID-19): Update #7 (January 18, 2021).

SWORN VIRTUALLY with
the Commissioner in Vancouver,)
and the witness in Laxgalts'ap/Greenville,)
in the Province of British Columbia)
this 23 day of July, 2023)


Iona Teena McKay


A Commissioner for Taking Affidavits)
in the Province of British Columbia)

Cheyenne Heseo
Klein Lawyers LLP
400-1385 W. 8th Ave
Vancouver BC V6H 3V9.

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CERTIFICATE OF COUNSEL – COVID-19 AFFIDAVIT

I, Cheyenne Neszo, am the commissioner of the Affidavit #2 of Iona Teena McKay, sworn July 23, 2023, by remote technology.

I was satisfied that the process was necessary because it was impossible for the deponent and the commissioner to be physically present together.

July 23, 2023



Cheyenne Neszo