Court File No. A-145-12

FEDERAL COURT OF APPEAL

BETWEEN:

THE ATTORNEY GENERAL OF CANADA

Appellant

- and - 🕐

AMNESTY INTERNATIONAL, CHIEFS OF ONTARIO, FIRST NATIONS CHILD & FAMILY CARING SOCIETY, ASSEMBLY OF FIRST NATIONS and CANADIAN HUMAN RIGHTS COMMISSION

Respondents

AFFIDAVIT OF SARA DUNN

(Sworn November 28, 2012)

I, SARA DUNN, of the Town of Milton, in Halton Regional Municipality, in the Province of Ontario, MAKE OATH AND SAY:

1. I am a law clerk at McCarthy Tétrault LLP, solicitors for the Proposed Intervenor, Canadian Civil Liberties Association (the "CCLA"), and as such have knowledge of the matters to which I hereinafter depose.

2. Attached hereto as **Exhibit "A"** are copies of the signed consents of the Respondents to the CCLA's motion to intervene in this proceeding. All of the Respondents have consented to the CCLA's motion seeking intervention in this appeal. Melissa Chan advised on Wednesday, November 28 that the Attorney General would not consent to the CCLA's motion.

3. I make this affidavit in support of the CCLA's motion to intervene in this matter, and for no other purpose.

AFFIRMED BEFORE ME at the City of) Toronto, this 28th day of November,) 2012.

Sava Dunn

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A Commissioner for taking oaths

This is **Exhibit "A"** to the Affidavit of Sara Dunn sworn this 28th day of November 2012

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A Commissioner for taking oaths

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Respondents

CONSENT

The parties hereto, by their solicitors, hereby consent to the issuance of an order granting the Canadian Civil Liberties Association leave to intervene in Court File No. A-145-12.

Date: November , 2012

Johnathan D.N. Tarlton and Melissa Chan Department of Justice Canada Suite 1400, Duke Tower 5251 Duke Street

Solicitors for the Appellant, The Attorney General of Canada

Halifax NS B3J 1P3

Date: November 28, 2012

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Daniel Poulin and Samar Musallam Canadian Human Rights Commission 344 Slater Street, 8th Floor Ottawa ON K1A 1E1

Counsel for the Respondent, Canadian Human Rights Commission

Nicholas McHaffie Stikeman Elliott LLP 50 O'Connor Street Ottawa ON K1P 6L2

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per/

Counsel for the Respondents, First Nations Child and Family Caring Society of Canada

Perf David C. Nahwegahbow Nahwegahbow, Corbiere 7410 Benson Side Road PO Box 217 Rama ON LOK 1T0

> Counsel for the Respondent, Assembly of First Nations

Michael W. Sherry Barristers and Solicitors 1203 Mississauga Rd. Mississauga ON L5H 2J1

Counsel for the Respondent, Chiefs of Ontario

Date: November 28, 2012

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Daniel Poulin and Samar Musallam Canadian Human Rights Commission 344 Slater Street, 8th Floor Ottawa ON K1A 1E1

Counsel for the Respondent, Canadian Human Rights Commission

Date: November ,2012

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Counsel for the Respondent, Chiefs of Ontario

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Date: November

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Date: November 27, 2012

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Och I

Justin Safareni Stockwoods LIP Royal Trust Tower Suite 4130, 77 King Street West PO Box 140 Toronto ON M5K 1H1

Counsel for the Respondent, Amnesty International

Court File No. A-145-12

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Respondents

CONSENT

McCarthy Tétrault LLP Box 48, Suite 5300 Toronto Dominion Bank Tower Toronto ON M5K 1E6

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Solicitors for the Proposed Intervenor, Canadian Civil Liberties Association

MT DOCS 12000541v2

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Court File No. A-145-12

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BETWEEN:

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APPELLANT

- and -

AMNESTY INTERNATIONAL, CHIEFS OF ONTARIO, FIRST NATIONS CHILD & FAMILY CARING SOCIETY, ASSEMBLY OF FIRST NATIONS and CANADIAN HUMAN RIGHTS COMMISSION

RESPONDENTS

AFFIDAVIT OF SARA DUNN (Motion for Leave to Intervene by the CCLA)

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MT DOCS 12008533v2