

Federal Court



Cour fédérale

Date: 20190510

Docket: T-2169-16

Ottawa, Ontario, May 10, 2019

PRESENT: The Honourable Mr. Justice Phelan

CLASS PROCEEDING

BETWEEN:

**GARRY LESLIE MCLEAN,
ROGER AUGUSTINE,
CLAUDETTE COMMANDA,
ANGELA ELIZABETH SIMONE SAMPSON,
MARGARET ANNE SWAN and
MARIETTE LUCILLE BUCKSHOT**

Plaintiffs

and

**HER MAJESTY THE QUEEN IN RIGHT OF
CANADA as represented by THE ATTORNEY
GENERAL OF CANADA**

Defendant

ORDER

UPON request of the Plaintiffs to ensure open access of the Settlement Approval Hearing proceedings for all class members;

AND UPON noting that the Defendant does not object to the relief requested;

THIS COURT ORDERS that:

1. The third party, Argyle Public Relations, is granted leave to live stream on www.youtube.com and the Indian Day Schools Class Action www.indiandayschools.com, the hearing to be held at the Federal Court, 363 Broadway, Winnipeg, MB R3C 3N9 in Courtroom 1 on May 13, 14, and 15, 2019.
2. The webcast shall be streamed for the sole purpose of providing class members and other interested persons the opportunity to view the proceedings as they occur. Any other purpose is subject to the approval of the Court.
3. The viewers of the webcast shall be bound by the terms of this Order. The terms of this Order shall be published along with the video.
4. The Court retains all rights, including copyright, to the content of the webcast.
5. The webcast shall be limited to the Court proceedings alone. For greater clarity, there shall be no digital record or webcast of events outside the courtroom, or at any time inside the courtroom when the Court is not in session, including any private conversations.
6. The camera shall be positioned in a fixed position to the right of the dais, or otherwise as directed, and the public gallery shall not appear in any of the shots during the hearing.
7. The camera shall be turned off immediately at breaks and there shall be no recording or photography of people or events within the courthouse during any recess or adjournment.

8. To protect the privacy of any particular individual who makes a submission to the Court, the camera shall be turned off immediately at their request. Further, there shall be no recording or photography of that person within the courthouse during this time.
9. The camera shall not be focused on and shall not record or photograph any materials on counsel tables or in counsel's possession.
10. There shall be no visual or audio recording of communications between counsel and their clients, between co-counsel of a client, or between counsel and the Court privately or in camera.
11. Under no circumstances shall the parties or their counsel be deemed to have waived the privacy, privilege, or confidentiality associated with any private, privileged, or confidential communications involving counsel for any of the parties.
12. Unless the prior written approval of the Court is obtained, no audio or visual content of the webcast, or any part of it, shall be copied, distributed, edited, altered or reproduced in any manner.
13. No logo, graphic, sound or image shall be added to the webcast at any time, including during breaks when the Court is not in session.
14. No screenshots of the webcast are permitted.
15. Argyle PR will delete the digital recording of the webcast from www.youtube.com, www.indiandayschools.com, and any other physical or electronic storage devices immediately after the proceedings.

16. The camera shall be in place at least 30 minutes prior to the scheduled commencement or re-commencement of the proceeding. The camera shall not be on during this time.
17. Operation of the camera shall be unobtrusive and not distracting.
18. The camera operator shall be properly attired and shall behave in keeping with Court proceedings.

“Michael L. Phelan”

Judge