

## Île-à-la-Crosse Class Action Settlements

### Data Collection and Disposition Protocol

#### GENERAL

A. *This document is the Protocol for Data Disposition with respect to the Settlement Agreements between a) Louis Gardiner, Margaret Aubichon, Melvina Aubichon, Emile Janvier, Duane Favel, and Donna Janvier and The Attorney General of Canada; and b) Louis Gardiner, Margaret Aubichon, Melvina Aubichon, Emile Janvier, Duane Favel, and Donna Janvier and The Government of Saskatchewan, as approved by the Saskatchewan Court of King's Bench on April 29, 2026 (the "Settlement Agreements" or "SAs").*

B. *Apart from direct quotation, where an SA refers to "Application", "Experience Payment Application" or "Abuse Compensation Application", it will be referred to as "Application" in this Protocol.*

C. *Interpretation of this Data Disposition Protocol: Capitalized terms are defined either in the Settlement Agreements or otherwise in this Data Disposition Protocol. For example, under the SAs, "Day" refers to Business Day, being a day other than a Holiday.*

#### A. Introduction

1. The Claims Administrator and any third-party organization retained to assist with effecting notice of court approval of the Settlement Agreements (the "Notice Provider") will collect, process, and retain data and documentation throughout the Claims Process. The content, communications, and information provided by Claimants, Canada and Saskatchewan may contain personal and sensitive information. The Claims Administrator and Notice Provider understand the importance of maintaining privacy and commit to the confidential management and destruction of the data and documentation upon its end of use.
2. All information collected and used by the Claims Administrator and the Notice Provider for the purpose of administering these Settlement Agreements is subject to this Data Disposition Protocol. Any and all information collected and retained by the Claims Administrator and Notice Provider may not be shared with any other party, other than prescribed under the Settlement Agreements and associated Protocols.

#### B. Summary of Collected Data

3. Data collected and processed throughout the Claims Process will include the following ("Claimant Information"):

- a. **Information provided within the Applications** – This includes information and documents, both required and optional, requested to evaluate Applications for eligibility and compensation. This includes requests for missing information, additional information, and reconsideration requests. This information may be retained in a hard copy or digital format.
- b. **Information provided throughout the Claims Process** – This includes queries, communications, and feedback provided throughout the Claims Process, which may not be contained in the Application. This information may be retained in a hard copy or digital format.
- c. **Information about the content provided** – This information may include data about the content submitted physically and digitally (i.e., metadata). Examples can include the date(s) of submission, or the file name of a digital file uploaded as part of an Application.

**C. Use of Collected Data**

- 4. The Claims Administrator will limit its collection of data to what is necessary to perform the assigned responsibilities specified in the Settlement Agreements. These tasks include:
  - a. Identification of the Survivor Class Members and/or their Estate Representatives and/or Eligible Heirs and/or Personal Representatives;
  - b. Determining the potential Claimant's eligibility;
  - c. Determining the Experience Payment and/or Abuse Compensation for Approved Claimants;
  - d. Conducting due diligence on Claimants, including where possibly not acting in good faith; and
  - e. Providing a trauma-informed, culturally sensitive, expeditious, cost-effective, user-friendly, and confidential process aimed at reducing the burden on Claimants and likelihood of re-traumatization.
- 5. Additionally, the Notice Provider may collect data to support fulfillment of the following:
  - a. PIPEDA-compliant subscription to and distribution of marketing and communications;
  - b. Use of website cookies and tracking technologies (e.g., analytics, remarketing, and conversion tracking) to measure engagement, improve digital services, and support marketing and outreach activities, in compliance with applicable privacy laws; and

- c. Development and distribution of communications materials to the Class that do not contain personally identifying information, instead using aggregate statistics, general updates, or informational resources.
6. All transfers of Claimant information between Canada, Saskatchewan, the Notice Provider, and the Claims Administrator will occur through encrypted and access-controlled channels (e.g., secure portals, SFTP, or equivalent), with chain-of-custody tracking. Where possible, Claimant information transferred between the Notice Provider and Claimant or between the Claims Administrator and Claimants will occur through encrypted and access-controlled channels (e.g., secure portals, SFTP, or equivalent), with chain-of-custody tracking.

**D. Data Disposition**

7. The data and documentation collected during the Claims Process, including all digital and physical copies, will be retained by the Claims Administrator and the Notice Provider for the duration of the Claims Process and for the entire retention period.
8. The data and documentation will be retained for a retention period that will conclude two years following the distribution of the last decision letter.
9. Following the retention period, if a Claimant has elected not to have their Claimant Information returned to them, and subject to any court order, dispute, or other legal obligation, the Claims Administrator and Notice Provider will destroy all data and documentation in their possession that was received or collected during the Claims Process. Notwithstanding the foregoing, the Claims Administrator shall retain a registry containing, for all Approved Claimants, names, dates of birth, addresses, and any claim number assigned by the Claims Administrator (the "**Payment Registry**"). The Payment Registry shall be maintained by the Claims Administrator indefinitely, subject to the joint direction of the Parties or order of the Court.
10. If a Claimant has elected not to have their Claimant Information returned to them, the Claims Administrator will destroy all physical and digital copies of data, as per NIST 800-88 Rev.1 media sanitization guidelines and ISO/IEC 21964 destruction standards. The standards are summarized as follows:
  - a. Physical documents maintained on paper will be shredded in such a way that the data cannot be read or retrieved.

- b. Digital media, including information on servers, will be disposed of in such a way that identification, or the re-identification, of sensitive data will not be possible. Notwithstanding the foregoing, published assets including digital advertisements, Facebook posts, and the website may be archived and not destroyed.
11. Certification of destruction will be provided to Class Counsel, Canada and Saskatchewan following the destruction of data and documentation by the Claims Administrator and Notice Provider.
12. The Claims Administrator will provide/return Claimant Information back to the Claimant, unless the Claimant has elected not to have their Claimant Information returned to them, in which case the original documentation will be returned to the Claimant, and a copy kept and subsequently destroyed according to this Protocol.
13. The Claims Administrator will provide notice on Claim Forms and supplementary materials that, if the Claimant elects not to have their Claimant Information returned to them, information and documentation submitted will not be returned nor copies made available (save for original documentation as discussed above), and that the Claims Administrator is not subject to the Privacy Act, R.S.C. 1985, c. P-21 but remains subject to applicable privacy legislation, including PIPEDA and provincial equivalents.
14. Development and distribution of communications materials that do not contain personal data relating to any Claimants or their claims, such as general updates, or informational resources (websites, toolkits, ads etc.) are exempt from data disposition requirements of this Protocol.
15. Reporting Materials will not contain Protected Personal Information relating to any Claimants or their claims and will be produced only in aggregated and de-identified format to prevent re-identification. Any reporting documentation will be maintained and disposed of according to the Claims Administrator's Records Retention Policy. Notwithstanding the Claims Administrator's Records Retention Policy, the Notice Provider may retain de-identified, aggregate reporting metrics that do not identify any individual or community ("**Aggregate Reporting Data**") for the limited purposes of:
  - a. Maintaining internal legacy records and benchmarks; and
  - b. Preparing credentials, case studies, and informing strategies and responses for future programs. Aggregate Reporting Data will be protected with administrative, technical, and physical safeguards appropriate to the sensitivity of the data and consistent with

applicable law, court orders, settlement agreements, and organizational privacy/security policies.

16. The Claims Administrator and Notice Provider will maintain logs of all retention, transfer, and destruction activities under this Protocol, available for review by the Parties or the Court upon request.

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