



Update on the Napash Lawsuit Filed Against the Moose Cree First Nation

Let us begin by explaining who is suing the Moose Cree First Nation; they are called the Plaintiffs. The Plaintiffs are: Gaius Napash, Archie Sutherland, Joyce Chum-Sutherland, Clarence Sutherland, Susann Napash, Priscilla Chum, Bert Nakogee, Andy Sutherland, Mike Chmilewski, Ernie Sutherland, and George Cheena personally and on behalf of members of the Cheena family and Ernest Beck personally and on behalf of members of the Beck family. These people together are suing the Moose Cree First Nation to stop the Lower Mattagami Project and try to take the benefits of the Amis-oo-skow Agreement for themselves.

All the Plaintiffs are Moose Cree First Nation Band members. Some of them live in the Kapuskasing area and others are residents of Moose Factory. Additionally, the Moose Cree First Nation is being sued by the "Kapuskasing Cree First Nation" (an entity that does not exist at law) and by unnamed members of the Beck family and the Cheena family.

All of those Plaintiffs are also suing Canada, Ontario and Ontario Power Generation.

The Plaintiffs have asked the Court for many things. On the face of it, the demands are outrageous. Here is a brief summary of some of what the Plaintiffs are seeking:

1. A lot of money, between 1 and 2 billion dollars depending on how you read their demands – this is more than the total of all financial benefits flowing from the Amisk-oo-skow Agreement to our First Nation;
2. The Lower Mattagami Project to be shut down and for no work to proceed;
3. A veto over the Project so that nothing can happen on the Project without their consent;
4. The Court to recognize that the Plaintiffs do not share any political, cultural or spiritual affiliation with our First Nation;
5. The immediate creation of a new Indian Act Band for Plaintiffs;
6. The immediate creation of a Reserve for this new Band; and
7. The Court to order a forensic audit of all the monies that our First Nation has ever received from Canada.

The Plaintiffs have said many things in their lawsuit to try to support their demands. It is important to recognize that they have to prove every one of their assertions in Court. Furthermore, we have the right and will have full opportunity to challenge and deny each and every claim made by the Plaintiffs, and to provide our own facts based on the truth.

The Amisk-oo-skow Agreement is for all Moose Cree First Nation members equally. It is a profound achievement for our First Nation and will form the cornerstone of our economy and our financial well being as a people into the future.

The Moose Cree Members approved the Amisk-oo-skow Agreement in a ratification vote after a full, open and fair democratic process following a lengthy information campaign that included many meetings in Moose Factory, Timmins, Kapuskasing, North Bay, Sudbury and Cochrane. Chief and Council are mandated to follow through on the decision of the people and to stand up for what we have achieved as a Nation.

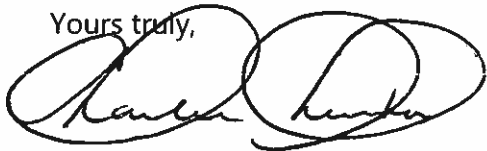
The Plaintiffs are attempting to bypass the democratic decisions made by the Moose Cree membership.

It is unfortunate to witness Moose Cree members suing their own First Nation and their elected leaders. It has always been the goal of the Amisk-oo-skow Agreement to bring unity - as the Amisk-oo-skow Agreement is for the benefit of all members equally, including all of the Plaintiffs. For them to now assert themselves as a new and independent Indian Act Band and for them to seek to take all the wealth for themselves is simply wrong.

However, the Plaintiffs' have made their decision and these issues are now in the Courts' hands. We have instructed our lawyers to vigorously defend the Moose Cree First Nation, the Amisk-oo-skow Agreement and the Lower Mattagami Project. We will do everything required to ensure that the interests of the Moose Cree are protected.

Furthermore, because that this lawsuit has been started the complaints of the Plaintiffs will have to be resolved in Court. Our lawyers have advised that these issues can now only be discussed through the court case. In addition, we have much work to do as a First Nation and we cannot have our membership meetings taken over by these issues any longer.

Yours truly,

A handwritten signature in black ink, appearing to read 'Charlie Cheechoo', written in a cursive style.

Deputy Chief Charlie Cheechoo