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To: Day Star First Nation (“Day Star”)
From: Maurice Law
Date: October 2025
Subject: **Treaty 4 Agricultural Benefits Claim**

MEMORANDUM

Day Star First Nation Treaty 4 Agricultural Benefits claim alleges that Canada breached its promise to provide Agricultural Benefits and other agricultural assistance under the terms of Treaty 4 (the “Claim”).

History

Following the appointment of a Federal negotiator in Fall 2024, negotiations with Canada began and culminated in a formal offer of settlement from Canada on March 9, 2025, for \$31,585,134.

In March 2025, Day Star sent Canada the final draft of the Settlement Agreement to Canada for initialling, which is the final necessary step before Canada’s offer could be put to a ratification vote of Day Star members.

Canada failed to initial draft Agreement before the 2025 federal election. Since the 2025 election, Canada has refused to take any further steps or resume negotiations (for Day Star and all other Nations advancing similar claims). Canada has also repeatedly refused to respond to numerous formal inquiries from Day Star Chief and Council.

Before Chief and Council are legally able to set a date for the ratification vote and information meetings Canada must initial the Settlement Agreement. Each month that passes lessens the buying power of Canada’s initial offer – meaning that the offer will need to be updated at this point to keep pace with inflation and/or lost investment opportunities.

Because of Canada’s silence and sharp practice, Chief and Council has advised Canada that the Nation is considering its legal options to advance this claim to resolution.

Current Status

With Canada’s refusal to return to the table, Chief & Council now must decide how to proceed. This involves choosing between 2 main options:

- i. Waiting for negotiations to resume. This has the potential to be the fastest option with the least amount of legal risk, but it is also difficult to predict if or when Canada will return to the table. It should be noted that no settlement of the Claim could occur until approved by Day Star members in a ratification vote.
- ii. Filing the claim with the Tribunal. This will take longer, and while there is a risk that Day Star would not be successful in achieving a comparable result, we are confident that Day Star's claim would be successful before the Tribunal. The main benefit of advancing the Claim before the Tribunal is that Canada cannot unilaterally "walk away" from the litigation because the Tribunal controls the process. Maurice Law has extensive experience before the Tribunal and a proven track record of success with similar claims.

We will provide further written updates regarding any new developments as they occur.

MAURICE LAW

Per: 
Logan Newlove