COURT FILE NUMBER

1103 14112

COURT:

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE:

EDMONTON

IN THE MATTER OF THE TRUSTEE ACT, RSA

2000, c T-8, AS AMENDED

IN THE MATTER OF THE SAWRIDGE BAND INTER VIVOS SETTLEMENT CREATED BY CHIEF WALTER PATRICK TWINN, OF THE SAWRIDGE INDIAN BAND, NO 19 now known as SAWRIDGE FIRST NATION ON APRIL 15, 1985 (the "1985 Sawridge")

Trust")

Clerk's Stamp

MAY 0 2 2018

Cert of the Cost

thereby certify this to be a true copy divine original

for Clerk of the Court

APPLICANTS:

MAURICE STONEY and HIS BROTHERS AND

SISTERS

RESPONDENTS:

ROLAND TWINN, CATHERINE TWINN,

WALTER FELIX TWIN, BERTHA

L'HIRONDELLE and CLARA MIDBO, as Trustees for the 1985 Sawridge Trust (the

"Sawridge Trustees") and

THE OFFICE OF THE PUBLIC TRUSTEE AND

GUARDIAN ("OPGT")

SAWRIDGE FIRST NATION aka THE

SAWRIDGE BAND ("SFN")

INTERVENOR:

DOCUMENT

ORDER RE: SAWRIDGE #9

ADDRESS FOR SERVICE AND

CONTACT INFORMATION OF

PARTY FILING THIS

DOCUMENT

Field LLP

2500 10175 101 Street NW

Attention: P. Jonathan Faulds Q.C.

Telephone: 780 423 7625

Fax: 780 428 9329

10009556-1

Emall: <u>|faulds@fieldlaw.com</u>

File # 65063-1

DATE ON WHICH ORDER WAS PRONOUNCED:

March 20, 2018

LOCATION WHERE ORDER WAS PRONOUNCED:

Edmonton, Alberta,

NAME OF JUSTICE WHO MADE THIS ORDER:

Honourable Justice D.R.G. Thomas

UPON THE REQUEST OF COUNSEL for the SFN, Sawridge Trustees and Priscilla Kennedy for direction from this Court, as set out in the letters to the Court on behalf of the SFN and Sawridge Trustees dated November 15, 2017 and on behalf of Priscilla Kennedy dated November 16, 2017, respecting the scope of the costs award in Sawridge #6 and whether such award applies to the costs of Sawridge #7 and Sawridge #8;

AND UPON THIS COURT directing that this issue described in the letters to the Court be resolved on the basis of written briefs, as set out in the Court's letter dated January 2. 2018;

AND UPON Maurice Stoney, unrepresented, having been provided with copies of the letters from counsel to the Court and from the Court, referred to above;

AND UPON HAVING READ the written submissions on behalf of Priscilla Kennedy, the responding submissions on behalf of the SFN and Sawridge Trustees, and the reply submissions on behalf of Priscilla Kennedy;

AND UPON THE COURT FINDING the issue of costs arising from Sawridge #7 and Sawridge #8 had not previously been addressed by any of the Participants or the Court;

IT IS HEREBY ORDERED THAT:

- 1. Costs are awarded to the SFN and Sawridge Trustees on a party and party basis (Column 3 of Schedule C) as against Priscilla Kennedy for Sawridge #7.
- 2. Costs are awarded to the SFN and Sawridge Trustees on a solicitor client basis as against Priscilla Kennedy and Maurice Stoney on a joint and several basis for *Sawridge #8*.
- 3. There will be no costs associated with this ruling.
- 4. Any issues relating to quantum of costs for Sawridge #6, #7 and/or #8 are to be resolved by an assessment officer.

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Honourable Justice D.R.G. Thomas

Approved as the form:

DENTONS CANADA LLP

Per:

D.C.E. Bonora

Counsel for the Respondent, the

Sawridge Trustees

Per:

P. Jon Faulds, Q.C.

FIELD LLP

Counsel for Priscilla Kennedy

PARLEE McLAWS LLP

Per:

F.H. Molstack O.C.

Counsel for the Respondent, Sawridge

First Nation

Action 1103 14112

Maurice Stoney

Unrepresented

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