

COURT OF APPEAL OF ALBERTA



COURT OF APPEAL FILE NUMBER: 1803-0076AC

TRIAL COURT FILE NUMBER: 1103-14112

REGISTRY OFFICE: EDMONTON

IN THE MATTER OF THE TRUSTEE ACT, RSA 2000,
C T-8, AS AMENDED, and
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")

APPLICANTS: MAURICE FELIX STONEY AND HIS BROTHERS
AND SISTERS

STATUS ON APPEAL: Interested Party
STATUS ON APPLICATION: Interested Party

RESPONDENTS (ORIGINAL APPLICANTS): ROLAND TWINN, CATHERINE TWINN, WALTER
FELIX TWIN, BERTHA L'HIRONDELLE and CLARA
MIDBO, as Trustees for the 1985 Sawridge Trust (the
"Sawridge Trustees")

STATUS ON APPEAL: Respondents
STATUS ON APPLICATION: Respondents

RESPONDENT: PUBLIC TRUSTEE OF ALBERTA

STATUS ON APPEAL: Not a party to the Appeal
STATUS ON APPLICATION: Not a party to the Application

INTERVENOR: THE SAWRIDGE BAND ("Sawridge")
STATUS OF APPEAL: Respondent
STATUS ON APPLICATION: Respondent

INTERESTED PARTY PRISCILLA KENNEDY, counsel for Maurice Felix
Stoney and His Brothers and Sisters

STATUS ON APPEAL: Appellant
STATUS ON APPLICATION: Applicant

DOCUMENT MEMORANDUM OF ARGUMENT OF
SAWRIDGE FIRST NATION (SAWRIDGE BAND)
IN RESPONSE TO PRISCILLA
KENNEDY'S APPLICATION FOR
PERMISSION TO APPEAL (Sawridge #9)

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

Parlee McLaws LLP
1700 Enbridge Centre
10175 – 101 Street NW
Edmonton, AB T5J 0H3
Attention: Edward H. Molstad, Q.C.
Telephone: (780) 423-8500
Facsimile: (780) 423-2870
File Number: 64203-23/EHM

CONTACT INFORMATION OF ALL
OTHER PARTIES:

Field LLP
2500 Enbridge Centre
10175 – 101 Street NW
Edmonton, AB T5J 0H3
Attention: P. Jonathan Faulds, Q.C.
Telephone: (780) 423-7625
Facsimile: (780) 429-9329
Counsel for the Applicant, Priscilla Kennedy

Dentons LLP
2900 Manulife Place
10180 – 101 Street NW
Edmonton, AB T5J 3V5
Attention: Doris Bonora & Anna Loparco
Telephone: (780) 423-7188
Facsimile: (780) 423-7276
Counsel for the Trustees

Maurice Felix Stoney
500 4th Street NW
Slave Lake, AB T0G 2A1
Phone: (780) 516-1143
Fax: (780) 849-3128

TABLE OF CONTENTS

I.	SUBMISSIONS	1
II.	RELIEF REQUESTED	1

I. SUBMISSIONS

1. Sawridge First Nation ("Sawridge") does not oppose the Application of Priscilla Kennedy ("Ms. Kennedy") for permission to appeal the decision of Case Management Justice Thomas J. dated March 20, 2018. Sawridge submits that, should the Court decide to grant permission to appeal, it would be appropriate that this appeal be expedited and consolidated with the appeal in Sawridge #7, which is scheduled to be heard on June 8, 2018.

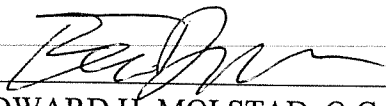
2. Sawridge makes no admissions that there are arguable issues on behalf of the Applicant. Sawridge submits that should permission to appeal be granted, this appeal should be expedited and heard on June 8, 2018 with the appeal of Sawridge #7, in order for the Court of Appeal panel deciding Sawridge #7 to have before it the full scope of Ms. Kennedy's conduct that was at issue before the Case Management Justice.

II. RELIEF REQUESTED

3. Sawridge does not oppose the relief requested by Ms. Kennedy at paragraph 17 of the Applicant's Memorandum of Argument.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 29th day of March, 2018.

PARLEE McLAWS LLP


for EDWARD H. MOLSTAD, Q.C.
Counsel for Sawridge First Nation