

COURT OF APPEAL OF ALBERTA

Form AP-3
[Rule 14.53]

COURT OF APPEAL FILE NO.: 1703 0195AC

TRIAL COURT FILE NO.: 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: Appellant

STATUS ON APPLICATION: Respondent

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

STATUS ON APPEAL: Respondents

STATUS ON APPLICATION: Applicants

RESPONDENT: PUBLIC TRUSTEE OF ALBERTA

STATUS ON APPEAL: Not a Party to the Appeal

INTERVENOR: THE SAWRIDGE FIRST NATION

STATUS ON APPEAL: Respondents

STATUS ON APPLICATION: Applicants

DOCUMENT: AFFIDAVIT OF MAURICE FELIX STONEY

ADDRESS FOR SERVICE AND Maurice Felix Stoney

CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT: 500 – 4 St. N.W.
Slave Lake, Alberta T0G 2A1
780-516-1143

AFFIDAVIT OF MAURICE FELIX STONEY

Sworn on December 5, 2017

I, MAURICE FELIX STONEY, of the Town of Slave Lake, in the Province of Alberta, make oath and say that:

1. I make this Affidavit for the purpose of providing to the Court sworn information as to my financial situation.
2. I am 76 years old and I live with my 86-year-old wife in Slave Lake. We live from month to month off of our CPP and Old Age Security cheques plus about \$600 to \$800 a month which I earn driving a rented taxi in Slave Lake. We are not managing to save any amount from month to month.
3. Attached and marked "Exhibit A" is a true copy of my Tax return Summary for 2016, which accurately shows my income as \$25,604 for 2016 from all sources. Attached and marked "Exhibit B" is a true copy of my Tax return Summary for 2015, which accurately shows my income as \$19,226 for 2015 from all sources. I would expect that my 2017 will be similar to my incomes in 2016 and 2015, as over the last several years my income has been quite consistent.
4. My wife and I jointly own a lot in Slave Lake, which would be worth perhaps \$60,000. We live in an old 1976 trailer on the lot which would be worth next to nothing. Title to the lot is encumbered by a mortgage to ScotiaBank, upon which is owing about \$79,000,

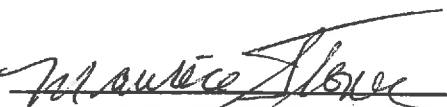
and upon which we are making payments of \$440 a month. There is also a second mortgage to Gabriel Nussbaum registered against the title, which I maintain that we have paid off in full, but which is the subject of a foreclosure action that I am advised by my counsel Priscilla Kennedy and do believe is not yet resolved as the Master's decision has been reserved pending the review of written submissions.

5. The Sawridge Band also has registered a Writ of Enforcement against the title to the property.
6. I also have a 2016 Dodge half-ton truck worth probably less than \$10,000, against which I believe about \$34,000 would be owing. My payments are about \$1,000 a month to the Bank of Montreal.
7. My only other assets of any value are my quad that would be worth about \$5,000, for which I am paying about \$200 a month, and a very small camper trailer that was given to me and would be worth about \$1,000.

SWORN BEFORE ME at Edmonton,
Alberta, this 5th day of December, 2017.



Commissioner for Oaths in and for the
Province of Alberta
Leroy N. Hiller, Barrister and Solicitor



MAURICE FELIX STONEY

Tax return Summary

for 2016 taxation year



Name
Social insurance number
Date of birth
Province of residence
Street
City
Province
Postal code
Home phone number

Maurice Felix Stoney
5th
December 12, 2017
[Signature]
Alberta

Taxpayer
Maurice Stoney
603-802-620
24-09-1941
Alberta
500 4 ST NW
SLAVE LAKE
Alberta
T0G 2A1
780 849-5193

Federal return

Total income

Employment income
Old age security pension
CPP or QPP benefits
Social assistance payments
Net federal supplements
Add line 144, 145, and 146.
Add lines 101, 104 to 143, and 147.

	Taxpayer
101	4,134 00
113 +	6,878 00
114 +	3,078 00
145 +	4,336 00
146 +	7,178 00
147 +	11,514 00
This is your total income. 150 =	25,604 00

Net income

Line 150 minus line 233 (if negative, enter "0")
Line 234 minus line 235 (if negative, enter "0")

This is your net income before adjustments. 234 =	25,604 00
This is your net income. 236 =	25,604 00

Taxable income

Other payments deduction

Line 236 minus line 257 (if negative, enter "0")

250 +	11,514 00
Add lines 244 to 256.	257 - 11,514 00
This is your taxable income. 260 =	14,090 00

Step 1 - Federal non-refundable tax credits

Basic personal amount
Age amount (if you were born in 1951 or earlier)
Employment Insurance premiums
Canada employment amount
Amounts transferred from your spouse or common-law partner

300	11,474 00
301 +	7,125 00
312 +	77 72
363 +	1,161 00
326 +	7,125 00
Add lines 300 to 332.	335 = 26,962 72
Multiply the amount on line 335 by 15%.	338 = 4,044 41
add lines 338 and 349.	350 = 4,044 41

Total federal non-refundable tax credits:

Step 3 - Net federal tax

Tax on taxable income

Enter the amount from line 350.

(C)	2,113 50
Add lines (C) and 424.	404 2,113 50
350	4,044 41
Add lines 350 to 427.	- 4,044 41

Refund or Balance owing

Net federal tax:

Provincial or territorial tax

Total income tax deducted

add lines 417, 415 and 418.	420 = 0 00
	428 + 0 00
This is your total payable. 435 =	0 00
437	15 99
These are your total credits. 482 -	15 99
Line 435 minus line 482	= (15 99)
Refund	484 15 99
Balance owing	485 0 00

Additional information

Marginal tax rate
Average tax rate (total income taxes paid ÷ total income)
GST/HST credit

0%
0.0%
338 40

Tax return Summary

for 2015 taxation year



Name
Social insurance number
Date of birth
Province of residence
Street
City
Province
Postal code
Home phone number

MAURICE STONEY
MAURICE STONEY
5th
December 12, 2017
A Certified Public Accountant and for
the Province of Alberta

Taxpayer

Maurice Stoney
603-802-620
24-09-1941
Alberta
500 - 4 St NW
Slave Lake
Alberta
T0G 2A1
780 849-5193

Federal return

Total income

Old age security pension
CPP or QPP benefits
Social assistance payments
Net federal supplements
Add line 144, 145, and 146.
Add lines 101, 104 to 143, and 147.

Taxpayer
113 + 6,786|00
114 + 3,042|00
145 + 4,334|00
146 + 5,064|00
147 + 9,398|00
This is your total income, 150 = 19,226|00

Net income

Line 150 minus line 233 (if negative, enter "0")
Line 234 minus line 235 (if negative, enter "0")

This is your net income before adjustments, 234 = 19,226|00
This is your net income, 236 = 19,226|00

Taxable income

Other payments deduction

Line 236 minus line 257 (if negative, enter "0")

250 + 9,398|00
Add lines 244 to 256, 257 - 9,398|00
This is your taxable income, 260 = 9,828|00

Step 1 - Federal non-refundable tax credits

Basic personal amount
Age amount (if you were born in 1950 or earlier)
Amounts transferred from your spouse or common-law partner

300 11,327|00
301 + 7,033|00
326 + 7,033|00
Add lines 300 to 332, 335 = 25,393|00
Multiply the amount on line 335 by 15%, 338 = 3,808|95
add lines 338 and 349, 350 = 3,808|95

Total federal non-refundable tax credits:

Step 3 - Net federal tax

Tax on taxable income

Enter the amount from line 350.

(C) 1,474|20
Add lines (C) and 424, 404 1,474|20
350 3,808|95
Add lines 350 to 427, - 3,808|95

Refund or Balance owing

Net federal tax:

Provincial or territorial tax

add lines 417, 415 and 418, 420 = 0|00
428 + 0|00
This is your total payable, 435 = 0|00
Refund 484 0|00
Balance owing 485 0|00

Additional information

Marginal tax rate
Average tax rate (total income taxes paid + total income)
Capital gain exemption available

0%
0.0%
500,000|00