

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")



I hereby certify this to be a true copy of the 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")

INTERVENOR SAWRIDGE FIRST NATION aka THE SAWRIDGE BAND ("SFN")

DOCUMENT **ORDER RE: SAWRIDGE #7**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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File No.: 551880 -1

DATE ON WHICH ORDER WAS PRONOUNCED:

August 31, 2017 (Sawridge #7)

LOCATION WHERE ORDER WAS PRONOUNCED:

Edmonton, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER:

Honourable Justice D.R.G. Thomas

UPON THIS COURT'S DIRECTION that Priscilla Kennedy appear before me at 2 p.m. on Friday, July 28, 2017, to make submissions on why she should not be personally responsible for some or all of the costs awarded against her client, Maurice Stoney; in Case Management Decision (Sawridge #6) herein;

AND UPON THIS COURT'S FURTHER DIRECTION that counsels for the Sawridge First Nation and the Trustees of the 1985 Sawridge Trust should appear to comment on this issue and may introduce evidence as further described at paragraph 81 of Case Management Decision (Sawridge #6);

AND UPON HAVING READ THE AFFIDAVITS filed on behalf of Priscilla Kennedy only;

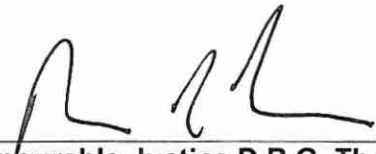
AND UPON HAVING HEARD what was said by the counsels for Priscilla Kennedy, the Sawridge First Nation and the Trustees of the 1985 Sawridge Trust;


AND UPON THE DELIVERY OF WRITTEN REASONS FOR DECISION of Honourable Mr. Justice Thomas dated August 31, 2017, entitled Case Management Decision (Sawridge #7);

IT IS HEREBY ORDERED THAT:

1. Priscilla Kennedy has conducted an unfounded, frivolous, dilatory or vexatious proceeding that denotes a serious abuse of the judicial system on two independent bases:
 - (a) Priscilla Kennedy conducted futile litigation that was a collateral attack of a prior unappealed decision of a Canadian court; and
 - (b) Priscilla Kennedy conducted that litigation allegedly on behalf of persons who were not her clients on a "busybody" basis (150).
2. Priscilla Kennedy and Maurice Stoney are liable jointly and severally for solicitor and client indemnity costs of the Sawridge Trustees and the Sawridge First Nation. (150, 152, 153 and 154).

3. Maurice Stoney, Priscilla Kennedy, the Sawridge Trustees and Sawridge First Nation may return to the Court if they require assistance to determine the costs payable. Costs are payable immediately. (155)
4. A copy of Case Management Decision (Sawridge #7) shall be delivered to the Law Society of Alberta for its review.



Honourable Justice D.R.G. Thomas


Entered this _____ day of October, A.D. 2017

CLERK OF THE COURT