

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")

*Copy only 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 #6**

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:

July 12, 2017

LOCATION WHERE ORDER WAS PRONOUNCED:

Edmonton, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER:

Honourable Justice D.R.G. Thomas

UPON THE APPLICATION of Maurice Stoney and his brothers and sisters to be added as parties or intervenors in the within action as beneficiaries of the 1985 Sawridge Trust and for the legal costs of Maurice Stoney and his brothers and sisters to be paid by the 1985 Sawridge Trust;

AND UPON THE APPLICATION of the Sawridge First Nation to be added as an intervenor in the application of Maurice Stoney and his brothers and sisters and for an Order striking and/or dismissing the application of Maurice Stoney and his brothers and sisters;


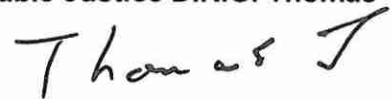
AND UPON THE APPLICATION of the Sawridge Trustees that Security for Costs be posted by Maurice Stoney and his brothers and sisters in the event they are added as parties or intervenors in the within action;

AND UPON THE DIRECTION of the Case Management Justice that the applications herein be dealt with in writing; AND UPON HAVING READ the written submissions herein from counsels for Maurice Stoney and his brothers and sisters, the Office of the Public Trustee and Guardian, the Sawridge First Nation, and the Sawridge Trustees; AND UPON THE DELIVERY of written reasons for the decision of the Honourable Mr. Justice D.R.G. Thomas dated July 12, 2017;

IT IS HEREBY ORDERED THAT:

1. Sawridge First Nation is granted intervenor status herein with respect to the Application by Maurice Stoney and his brothers and sisters only;
2. The Application by Maurice Stoney and his brothers and sisters is limited to Maurice Stoney alone and will not involve his "10 living brothers and sisters";
3. The application by Maurice Stoney is dismissed;
4. The application by the Sawridge Trustees for security for costs need not be addressed;
5. The Sawridge First Nation and the Sawridge Trustees are awarded solicitor and own client indemnity costs against Maurice Stoney;

6. Counsel for Maurice Stoney, Priscilla Kennedy, has advanced a futile application which has been identified by the Court as abusive and vexatious and as a result, Priscilla Kennedy shall appear before this Court at 2:00 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 awards against Maurice Stoney. The Sawridge First Nation and the Sawridge Trustees should appear on July 28, 2017 to comment on this issue and may introduce evidence as indicated in **Quebec (Director of Criminal and Penal Prosecutions) v. Jodoin**, 2017 SCC 26 (CanLII), paragraphs 33 and 34.
7. Maurice Stoney is subject to an Interim Court Filing Restriction on terms set out in the Order filed herein on July 12, 2017;
8. Maurice Stoney shall, if he chooses to do so, make written submissions by close of business on August 4, 2017 on whether his access to the Alberta courts should be restricted, and if so, what the scope of such restrictions should be;
9. The Sawridge First Nation and the Sawridge Trustees may make submissions on Maurice Stoney's potential vexatious litigant status and introduce additional evidence that is relevant to this question by the close of business on July 28, 2017.


Honourable Justice D.R.G. Thomas


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

CLERK OF THE COURT