

COURT FILE NUMBER 1103 114112

COURT Court of Queen's Bench of Alberta

JUDICIAL CENTRE Edmonton

APPLICANT Maurice Felix Stoney

RESPONDENTS Roland Twinn, Catherine Twinn, Walter Felix Twin, Martha L'Hirondelle and Clara Midho, as Trustees for the 1985 Sawridge Trust, the Public Trustee of Alberta, and the Sawridge Band

DOCUMENT **COURT ACCESS CONTROL ORDER FOR MAURICE FELIX STONEY**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF THE PARTY FILING THIS DOCUMENT Justice D.R.G. Thomas,
Alberta Court of Queen's Bench
Judicial District of Edmonton
3rd Floor – Law Courts Building
1A Sir Winston Churchill Square
Edmonton, Alberta T5J 0R2

DATE ON WHICH ORDER WAS PRONOUNCED: September 12, 2017

NAME OF THE JUDGE WHO MADE THIS ORDER: Honourable D.R.G. Thomas



WHEREAS on July 12, 2017 this Court dismissed the Application of Maurice Felix Stoney and "His Brothers and Sisters" to be added to Docket 11103 14112 action, that decision reported as *1985 Sawridge Trust v Alberta (Public Trustee)*, 2017 ABQB 436;

AND WHEREAS on concluding that the Application of Maurice Felix Stoney disclosed indicators of vexatious and abusive litigation;

AND UPON the Court receiving and reviewing written submissions filed on behalf of Maurice Felix Stoney and others concerning whether his access to Alberta courts should be restricted, and if so, the scope of those restrictions;

AND UPON THE COURT'S OWN MOTION;

IT IS HEREBY ORDERED THAT:

1. The Interim Court Filing Restriction Order for Maurice Felix Stoney made and filed July 12, 2017 is vacated.
2. Maurice Felix Stoney is prohibited, under the inherent jurisdiction of the Alberta Court of Queen's Bench, from commencing, or attempting to commence, or continuing any appeal, action, application, or proceeding in the Court of Queen's Bench or the Provincial Court of Alberta, on his own behalf or on behalf of any other person or estate, without an order of the Chief Justice or Associate Chief Justice, or Chief Judge, of the Court in which the proceeding is conducted, or his or her designate, where that litigation involves any one or more of:
 - (i) the Sawridge Band,
 - (ii) the 1985 Sawridge Trust,
 - (iii) the 1986 Sawridge Trust,
 - (iv) the current, former, and future Chief and Council of the Sawridge Band,
 - (v) the current, former, and future Trustees of the 1985 Sawridge Trust and 1986 Sawridge Trust,
 - (vi) the Public Trustee of Alberta,
 - (vii) legal representatives of categories 1-6,
 - (viii) members of the Sawridge Band,
 - (ix) corporate and individual employees of the Sawridge Band, and
 - (x) the Canadian federal government.
3. Maurice Felix Stoney is prohibited from commencing, or attempting to commence, or continuing any appeal, action, application, or proceeding in the Court of Queen's Bench or the Provincial Court of Alberta, on his own behalf or on behalf of any other person or estate, until Maurice Felix Stoney pays in full all outstanding costs ordered by any Canadian court.
4. The Chief Justice or Associate Chief Justice, or Chief Judge, or his or her designate, may, at any time, direct that notice of an application to commence or continue an appeal, action, application, or proceeding be given to any other person.
5. Maurice Felix Stoney must describe himself, in the application or document to which this Order applies as "Maurice Felix Stoney", and not by using initials, an alternative name structure, or a pseudonym.

6. Any application to commence or continue any appeal, action, application, or proceeding must be accompanied by an affidavit:

(i) attaching a copy of the Order issued herein, restricting Maurice Felix Stoney's access to the Alberta Court of Queen's Bench and Provincial Court of Alberta;

(ii) attaching a copy of the appeal, pleading, application, or process that Maurice Felix Stoney proposes to issue or file or continue;

(iii) deposing fully and completely to the facts and circumstances surrounding the proposed claim or proceeding, so as to demonstrate that the proceeding is not an abuse of process, and that there are reasonable grounds for it;

(iv) indicating whether Maurice Felix Stoney has ever sued some or all of the defendants or respondents previously in any jurisdiction or Court, and if so providing full particulars;

(v) undertaking that, if leave is granted, the authorized appeal, pleading, application or process, the Order granting leave to proceed, and the affidavit in support of the Order will promptly be served on the defendants or respondents;

(vi) undertaking to diligently prosecute the proceeding; and

(vii) providing evidence of payment in full of all outstanding costs ordered by any Canadian court.

7. Any application referenced herein shall be made in writing.

8. The Chief Justice or Associate Chief Justice, or Chief Judge, or his or her designate, may:

(i) give notice of the proposed claim or proceeding and the opportunity to make submissions on the proposed claim or proceeding, if they so choose, to:

a) the involved potential parties;

b) other relevant persons identified by the Court; and

c) the Attorney Generals of Alberta and Canada.

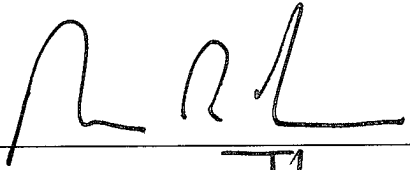
(ii) respond to the leave application in writing; and

(iii) hold the application in open Court where it shall be recorded.

9. Leave to commence or continue proceedings may be given on conditions, including the posting of security for costs.

10. An application that is dismissed may not be made again.

11. An application to vary or set aside this Order must be made on notice to any person as directed by the Court.
12. The exception granted in the Order made by Associate Chief Justice Rooke on July 20, 2017 in the matter of *Nussbaum v Stoney*, Alberta Court of Queen's Bench docket 1603 03761 shall apply to this Court Access Control Order.



D.R.G. Thomas *Thomas*
JUSTICE OF QUEEN'S BENCH OF ALBERTA

ENTERED this 12 day of Sept, A.D. 2017

CLERK OF THE COURT