



COURT OF QUEEN'S BENCH OF ALBERTA

July 12, 2017

SENT VIA E-MAIL ONLY

Ms. Priscilla E. S. Kennedy
DLA Piper (Canada) LLP
Email: priscilla.kennedy@dlapiper.com

Mr. Ed H. Molstad, QC
Parlee McLaws LLP
Email: emolstad@parlee.com

Ms. Doris C.E. Bonora
Dentons Canada LLP
Email: doris.bonora@dentons.com

Ms. Janet Hutchison
Hutchison Law
Email: jhutchison@jlhlaw.ca

Dear Counsel:

**Re: Sawridge Band Inter Vivos Settlement ("1985 Sawridge Trust");
Action No. 1103 14112; Application by Maurice Felix Stoney et al. to be
added as parties – Case Management Decision ("Sawridge #6")**

I attach in pdf format a copy of my Case Management Decision ("Sawridge #6") which was filed today.

I draw to the attention of counsel the filing deadlines in Paragraphs 63 and 64 of the Case Management Decision ("Sawridge #6"). I also draw to Ms. Kennedy's attention the requirement to appear before me at **2:00 pm 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 her client, Maurice Stoney (see Paragraph 79 of "Sawridge #6").

I also attach in pdf format a filed copy of an Interim Court Filing Restriction Order for Maurice Felix Stoney. I direct Ms. Kennedy to draw this Order and its terms to the attention of Mr. Stoney immediately.

I am copying this letter to Ms. Karen Platten, QC and Ms. Linda Maj for their information.

Yours truly

D.R.G. Thomas

DRGT/bn
Attachments

cc Ms. Karen Platten, QC, McLennan Ross LLP
Email: kplatten@mross.com

cc Linda A. Maj, Justice Canada, Indigenous Affairs & Northern Development
Email: linda.maj@justice.gc.ca

COURT FILE NUMBER 1103 14112

COURT Court of Queen's Bench Alberta

JUDICIAL CENTRE Edmonton

APPLICANT Maurice Felix Stoney

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

DOCUMENT **INTERIM COURT FILING RESTRICTION ORDER FOR MAURICE FELIX STONEY**

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

DATE ON WHICH ORDER WAS PRONOUNCED: July 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 the Docket 1103 14112 action, that decision reported as *1985 Sawridge Trust v Alberta (Public Trustee)*, 2017 ABQB 436 and;

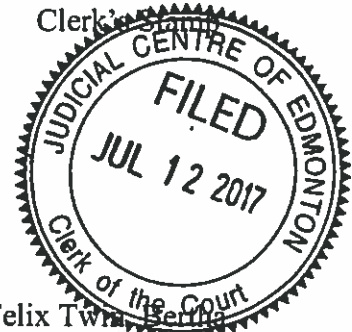
WHEREAS on concluding that the Application of Maurice Felix Stoney disclosed indicators of vexatious and abusive litigation;

AND UPON the Court ordering Maurice Felix Stoney by close of business on **August 4, 2017**, if chooses to do so, file written submissions 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. Maurice Felix Stoney, on an interim basis and until this Court determines whether Maurice Felix Stoney's access to Alberta courts should be restricted, is prohibited from



commencing, or attempting to commence, or continuing any appeal, action, application, or proceeding:

(i) in the Court of Appeal, the Court of Queen's Bench, or the Provincial Court of Alberta, and

(ii) 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.

2. The Chief Justice, or Associate Chief Justice, or Chief Judge, or his or her designate, may at any time direct that notice of the application to commence or continue an appeal, action, application, or proceeding be given to any other person.

3. 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.

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

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

(vi) undertaking to diligently prosecute the proceeding.

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

6. 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 Attorneys General 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.
7. Leave to commence or continue proceedings may be given on conditions, including the posting of security for costs.
 8. An application that is dismissed may not be made again.
 9. This Order does not apply to:
 - (i) an appeal from the Court's July 12, 2017 decision reported as *1985 Sawridge Trust v Alberta (Public Trustee)*, 2017 ABQB 436; and
 - (ii) written submissions and/or affidavit evidence in relation to Maurice Felix Stoney's potential vexatious litigant status.
 10. An application to vary or set aside this Order must be made on notice to any person as directed by the Court.
 11. The approval of Maurice Felix Stoney as to the form and content of this Order is not required.


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

ENTERED this 12th day of July, A.D. 2017

CLERK OF THE COURT