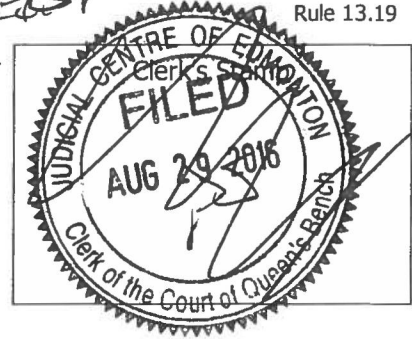


*Noted
File*

COURT FILE NO. 1103 14112/and 1403 04885



COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

IN THE MATTER OF THE TRUSTEE ACT, R.S.A.
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 Trust"),



AND

IN THE MATTER OF THE SAWRIDGE TRUST
CREATED BY CHIEF WALTER PATRICK TWINN,
OF THE SAWRIDGE INDIAN BAND NO. 19,
AUGUST 15, 1986 (the "1986 Trust")

APPLICANT CATHERINE TWINN, as Trustee for the 1985 Trust and the 1986 Trust

RESPONDENTS ROLAND TWINN, BERTHA L'HIRONDELLE, EVERETT JUSTIN TWINN AND MARGARET
WARD, as Trustees for the 1985 Trust and the 1986 Trust

DOCUMENT **AFFIDAVIT**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
McLENNAN ROSS LLP
#600 West Chambers
12220 Stony Plain Road
Edmonton, AB T5N 3Y4

Lawyer: Karen A. Platten, Q.C.
Telephone: (780) 482-9200
Fax: (780) 482-9102
Email: kplatten@mross.com
File No.: 144194

AFFIDAVIT OF DANIELLE PFEIFLE

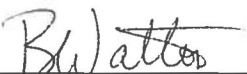
SWORN ON THE 26th DAY OF AUGUST, 2016

I, Danielle Pfeifle, of Edmonton, Alberta, SWEAR AND SAY THAT:

1. I am a legal assistant and the law firm of McLennan Ross LLP, solicitors for the Applicant, Catherine Twinn, and as such I have personal knowledge of the matters hereinafter deposed to, except where stated to be based upon information and belief, and where so stated, I verily believe the same to be true.

2. Attached and marked as **Exhibit "A"** to my Affidavit is a true copy of Karen A. Platten, QC's letter to counsel for the Respondents in Action 1103 14112 (the "**2011 Action**"), and counsel for the Respondents in 1403 04885 (the "**2014 Action**") serving the Applicant's Application seeking to have the legal costs incurred by her in her capacity as a Trustee of the 1985 Trust and the 1986 Trust paid from the 1985 Trust and the 1986 Trust (the "**Costs Application**").
3. Attached and marked as **Exhibit "B"** to my Affidavit is a true copy of Crista C. Osualdini's letter to the Civil Trial Coordinator dated January 19, 2016, confirming that the Costs Application was being adjourned to a full day Special Chambers Date on November 9, 2016.
4. Attached and marked as **Exhibit "C"** to my Affidavit is a true copy of a Notice from the Civil Trial Coordinator filed January 29, 2016, confirming the Costs Application had been adjourned to a full day Special Chambers Application on November 9, 2016.
5. Attached and marked as **Exhibit "D", "E", and "F"** to my Affidavit are true copies of e-mail correspondence exchanged between Crista C. Osualdini of McLennan Ross LLP, counsel for the Applicant, and Nancy E. Cumming, QC, of Bryan & Company LLP, counsel for the Respondents in the 2014 Action; Doris C.E. Bonora of Dentons Canada LLP, counsel for the Respondents in the 2011 Action; and Anna Loparco of Dentons Canada LLP, respectively regarding the scheduling of cross-examination dates and dates for the Applicant and the Respondents to file evidence with respect to the Costs Application.
6. I am advised by Crista C. Osualdini, and do verily believe, that on August 26, 2016, she contacted the Civil Trial Coordinator's to determine when the next available full day special chambers date was, and that she was advised that there were no available full day special chambers dates until October 2017.
7. Attached and marked as **Exhibit "G"** to my Affidavit is a true copy of an e-mail sent by Crista C. Osualdini to counsel for the Respondents in the 2011 Action and counsel for the Respondents in the 2014 Action on August 26, 2016, and the Litigation Plan that was attached to that e-mail.
8. I swear this Affidavit in support of an Application to compel deadlines for the completion of all remaining steps necessary to allow the Costs Application to proceed as scheduled on November 9, 2016, and for no other purpose.

SWORN BEFORE ME at the
 City of Edmonton,
 in the Province of Alberta
 the 26 day of August, 2016



 A Commissioner for Oaths in and
 for the Province of Alberta

BERNICE WALTON
 A Commissioner for Oaths
 in and for Alberta
 My Commission Expires June 16, 2017



 DANIELLE PFEIFLE



McLENNAN ROSS LLP
LEGAL COUNSEL

Our File Reference: 144194

Karen A. Platten, Q.C.
Direct Line: (780) 482-9278
e-mail: kplatten@mross.com

Amanda Riboreau, Assistant
Direct Line: (780) 482-9275

Fax: (780) 482-9102

PLEASE REPLY TO EDMONTON OFFICE

December 17, 2015

VIA FACSIMILE

Nancy E. Cumming, Q.C.
Bryan & Company LLP
2600 Manulife Place
10180-101 Street
Edmonton, Alberta T5J 3Y2

Dentons Canada LLP
2900 Manulife Place
10180-101 Street
Edmonton, AB T5J 3V5

This is Exhibit "A" referred to in the
Affidavit of
Danielle Pfeifle
Sworn before me this 26 day
of August A.D., 2016
B. Walton
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

Attention: Doris Bonora

BERNICE WALTON
A Commissioner for Oaths
in and for Alberta
My Commission Expires June 16, 2017

Dear Madams:

Re: Court of Queen's Bench Action No. : 1103 14112
Court of Queen's Bench Action No. 140304885

Please find enclosed for service upon you the filed application of Catherine Twinn in relation to the above noted Action Numbers, returnable January 5, 2016. This application seeks indemnification from the 1985 and 1986 Trusts for her legal fees incurred in these Actions. Please also find Ms. Twinn's supporting Affidavits for service upon you, one of which, you should already be in receipt of.

This matter will need to be set down for a Special Chambers application. Currently October 28, 2016 is the next available full day Justice Special. I would like to reserve this date.

Please advise as to your respective availability and I will proceed to have this matter set down to that date.

Edmonton Office
600 McLennan Ross Building
12220 Stony Plain Road
Edmonton, AB T5N 3Y4
p. 780.482.9200
f. 780.482.9100
tf. 1.800.567.9200

Calgary Office
1000 First Canadian Centre
350 - 7th Avenue SW
Calgary, AB T2P 3N9
p. 403.543.9120
f. 403.543.9150
tf. 1.888.543.9120

Yellowknife Office
301 Nunasi Building
5109 - 48th Street
Yellowknife, NT X1A 1N5
p. 867.766.7677
f. 867.766.7678
tf. 1.888.836.6684

Yours truly,

KAREN A. PLATTEN, Q.C.

Encl.

/ar

0004



Our File Reference:

This is ¹⁴⁴¹⁹⁴ Exhibit "B" referred to in the
Affidavit of
Danielle Pfeifle

Crista C. Osualdini
Direct Line: (780) 482-9239
e-mail: cosualdini@mross.com

Sworn before me this 20 day
of August A.D., 2016

Danielle Pfeifle, Assistant
Direct Line: (780) 482-9198

January 19, 2016

Fax: (780) 733-9723
PLEASE REPLY TO EDMONTON OFFICE

B Walton
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

SENT BY FAX

Bonnie Mitchell
Civil Trial Coordinator

BERNICE WALTON
A Commissioner for Oaths
in and for Alberta
My Commission Expires June 16, 2017

Dear Madam:

**Re: Court of Queen's Bench Action No. 1103 14112 &
Court of Queen's Bench Action No. 1403 04885
Full Day Justice Special Chambers Application - November 9, 2016**

Further to your e-mail of today's date, I am writing to confirm that we would like to book the November 9, 2016 full day Special Chambers date for the purpose of hearing Ms. Twinn's application filed in the above noted Action Numbers. Please note that this matter is currently scheduled for February 2, 2016 in morning Chambers and we wish to have it moved to November 9, 2016 full day Special Chambers. Please find enclosed a copy of the application that will be heard.

I confirm that all counsel have provided their consent to this application being set on this date. Contact information for other counsel is as follows:

Counsel for Roland Twinn, Catherine Twinn, Everett Justin Twin, Bertha L'Hirondelle and Margaret Ward, As Trustees for the 1985 Trust:

Dentons Canada LLP
2900 Manulife Place
10180-101 St NW
Edmonton AB Canada T5J 3V5

Edmonton Office
600 West Chambers
12220 Stony Plain Road
Edmonton, AB T5N 3Y4
p. 780.482.9200
f. 780.482.9100
tf. 1.800.567.9200

Calgary Office
1000 First Canadian Centre
350 - 7th Avenue SW
Calgary, AB T2P 3N9
p. 403.543.9120
f. 403.543.9150
tf. 1.888.543.9120

Yellowknife Office
1001 Precambrian Building
4920 - 52nd Street
Yellowknife, NT X1A 3T1
p. 867.766.7677
f. 867.766.7678
tf. 1.888.836.6684

Attention: Doris Bonora

Tel: (780) 423-7188
Fax: (780) 423-7276
Email: doris.bonora@dentons.com

and

Reynolds Mirth Richards & Farmer LLP
3200 Manulife Place
10180 – 101 St. NW
Edmonton AB Canada T5J 3W8
Attention: Marco Poretti

Tel: (780) 497-3325
Fax: (780) 429-3044
Email: mporetti@rmrf.com

Counsel for Roland Twinn, Everett Justin Twin, Bertha L'Hirondelle and Margaret Ward, As Trustees for the 1985 and 1986 Trust:

Bryan & Company LLP
2600 Manulife Place
10180 – 101 St. NW
Edmonton AB Canada T5J 3Y2
Attention: Nancy Cumming, Q.C.

Tel: (780) 420-4733
Fax: (780) 428-6324
Email: necumming@bryanco.com

Counsel for the Public Trustee of Alberta:

Hutchison Law
#190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park AB Canada T8H 2A3
Attn: Janet L. Hutchison

Tel: (780) 417-7871
Fax: (780) 417-7872
Email: jhutchison@jhlaw.ca

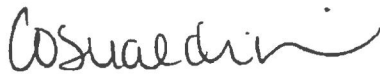
and

Supreme Advocacy LLP
340 Gilmour Street, Suite 100
Ottawa ON Canada K2P 0R3
Attention: Eugene Meehan, Q.C.

Tel: (613) 695-8855
Fax: (613) 695-8580
Email: emeehan@supremeadvocacy.ca

Should scheduling this application present any difficulty for the Court, please advise.

Yours truly,



CRISTA C. OSUALDINI
CCO/pmd

Cc: Nancy Cumming, Q.C.
Cc: Doris Bonora
Cc: Janet Hutchison
Cc: Client

COPY

Court of Queen's Bench of Alberta

Confirmation of Special Chambers Booking



To: Crista C. Osualdini Fax: 780-733-9723
 To: Doris Bonora Fax: 780-423-7276
 To: Marco Poretti Fax: 780-429-3044
 To: Nancy Cumming, Q.C. Fax: 780-428-6324
 To: Janet L. Hutchinson Fax: 780-417-7872
 To: Eugene Meehan, Q.C. Fax: 1-613-695-8580

Action No.: 1103 14112 & 1403 04885

Style: Twinn v Twinn

This confirms that a SPECIAL CHAMBERS APPLICATION has been scheduled as follows:

Wednesday, November 9, 2016 @ 10:00am - 1 Day

Counsel/Parties are reminded that Civil Practice Note #2 (effective March 1, 2011) governs Special Chambers Applications. Counsel/Parties are expected to review the Practice Note for compliance prior to filing briefs. In particular:

DEADLINES FOR BRIEFS AND AUTHORITIES:

Applicant: 4:30 p.m., third Friday before the application.
 Respondent: 4:30 p.m., second Friday before the application.

NOTE: If your filing deadline falls on a holiday, your materials are due the day prior.

Briefs: Must be SHORT AND CONCISE
 Authorities must be ***HIGHLIGHTED***
 PRODUCE only portions or headnotes of authorities as needed.

NOTE: Briefs are to be filed in the Trial Co-Ordinators Office - 6th Floor Law Courts

NON COMPLIANCE WITH THE PRACTICE NOTE MAY RESULT IN REJECTION OF THE BRIEFS, LOSS OF THE BOOKING DATE AND/OR COSTS AWARDS.

This is Exhibit "C" referred to in the Affidavit of

Danielle Pfeiffer
 Sworn before me this 26 day
 of August A.D., 2016

Bernice Walton
 A Notary Public, A Commissioner for Oaths
 in and for the Province of Alberta

Bonnie Mitchell

Bonnie Mitchell
 Civil Court Coordinator
 Tel: (780) 422-2311
 Fax: (780) 427-5622

BERNICE WALTON

A Commissioner for Oaths
 in and for Alberta
 My Commission Expires June 16, 2017

0008

From: Crista Osualdini
Sent: Friday, August 26, 2016 10:29 AM
To: Nancy Cumming
Cc: Bonora, Doris; Ryan Martin
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Hi Nancy,

It appears that while I was preparing my email to you, you sent this to me.

I cannot recall anything being sent to Ms. Platten in May 2016, however, in any event, I am not aware of the trustees requesting an examination of Ms. Twinn on the 3 Affidavits that have been provided to them since December 2015 until August 16. As mentioned, I don't foresee any further evidence being filed, except perhaps in rebuttal. I am aware that Ms. Platten advised you on August 10, 2016 (as per the chain below) that there were not any further Affidavits to be filed at this time.

Can you please propose a schedule that gets us to November 9. I have made multiple attempts at schedules, however, none seem to be acceptable. I would also note that Marco and Joe Kueber both act on this file and perhaps one or both of them could handle examinations given that both yourself and Doris appear to be tied up in September.

I look forward to your proposal.

This is Exhibit "D" referred to in the
Affidavit of

Danielle Pfeifle

Sworn before me this 26 day

of August A.D., 2016

B. Walton

A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

Crista

From: Nancy Cumming [mailto:necumming@bryanco.com]

Sent: Friday, August 26, 2016 9:55 AM

To: Crista Osualdini <cosualdini@mross.com>

Cc: Bonora, Doris <doris.bonora@dentons.com>

Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

BERNICE WALTON
A Commissioner for Oaths
in and for Alberta
My Commission Expires June 16, 2017

I am prepared to proceed with the cross examination on affidavit of Ms. Twinn on October 11 and 12, 2016. I am no longer prepared to proceed on Sept. 21. As Ms. Bonora mentioned, I am getting married that weekend and thus have significant reservations with having to prepare for and proceed with the Questioning, in addition to dealing with wedding plans and being absent from the office for our honeymoon.

I note that I had first requested confirmation of any further affidavit and scheduling dates with Ms. Platten in May, 2016. I received a vague response on Aug. 10th and still have no firm position from your office as to whether a further affidavit will be filed.

Although I am prepared to work with both of you to establish a schedule that gets us to Nov. 9th, I simply cannot commit to the Sept. Questioning dates.

Nancy

Sent from my iPhone

On Aug 26, 2016, at 9:04 AM, Nancy Cumming <necumming@bryanco.com> wrote:

As Crista had not confirmed dates, I booked a holiday and now will not be back in the office until Sept.6th. I will thus be unable to be properly prepared for questioning on Sept.8th. I will try to get back to you later today re: your alternate dates. In any event, if Ms.Twinn is planning on swearing a further affidavit then it should be provided by no later than the end of August. Thank you.

Sent from my iPhone

On Aug 25, 2016, at 7:34 PM, Crista Osualdini <cosualdini@mross.com> wrote:

Hi Doris,

Another idea occurred to me.

Nancy had previously advised that Sept 8 was available. Catherine and I both had previous commitments that day, however, given the importance of this application, we will make the necessary adjustments in order to be available on September 8 for Catherine's questioning. This would then free up September 21 for questioning of your affiants. This will allow for most of October for any rebuttal evidence/examinations/undertakings. We could keep October 11 and 12 available for these examinations.

I do not anticipate that we will be filing any further evidence, aside perhaps from rebuttal evidence, however, I will confirm this position and if there is a further Affidavit, have it provided by end of business on August 30.

Does this schedule work?

From: Bonora, Doris [<mailto:doris.bonora@dentons.com>]
Sent: Thursday, August 25, 2016 6:27 PM
To: Crista Osualdini <cosualdini@mross.com>; Nancy Cumming <necumming@bryanco.com>
Cc: 'Paul@sawridgetrusts.ca' <Paul@sawridgetrusts.ca>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista,

I'm sorry, I thought that we were still awaiting an affidavit from Catherine Twinn. Am I wrong about that? I thought the last affidavit was only coming on September 9, 2016. I know Nancy has written a couple of times asking about the affidavit and I think we only learned recently about the next affidavit being filed on September 9, 2016.

September is a bad month for Nancy and I. She is getting married and going on a honey moon and I am going to France to present at a trust conference. Both events have been planned for a long time.

I will let Nancy speak to September 21, as that is 3 days before her wedding day.

Doris

Doris C.E. Bonora
Partner

D +1 780 423 7188
doris.bonora@dentons.com
Bio | Website

Dentons Canada LLP
2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

大成 Salans FMC SNR Denton McKenna Long

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Nancy E. Cumming, Q.C.
Partner

EMAIL necumming@bryanco.com



Bryan & Company LLP
2600 Manulife Place 10180 101 Street Edmonton Alberta T5J 3Y2
Direct 780-420-4733 | Toll free 1 800 357 9265 | Fax 780 428 6324
Web www.bryanco.com

From: Crista Osualdini [<mailto:cosualdini@mross.com>]
Sent: 25-Aug-16 5:28 PM
To: Bonora, Doris; Nancy Cumming
Cc: Karen Platten
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Doris,

Our application and Affidavit have been available for some time and it is disappointing that steps were not taken by the trustees to examine earlier.

What is your availability in September for an examination of Catherine. If necessary we can make Catherine available on September 21 and an alternate lawyer from our office can attend in order to make timing work. Nancy had previously advised that this was a date that was available to both of you. This will keep October 11 and 12 available for examination of your affiants.

What date are you available for examination on rebuttal evidence of October 21 is not workable?

Also, can you please advise if this examination will be used in the 2011 action or if you are only attending to observe?


From: Bonora, Doris [<mailto:doris.bonora@dentons.com>]
Sent: Thursday, August 25, 2016 5:18 PM
To: Crista Osualdini <cosualdini@mross.com>; Nancy Cumming <necumming@bryanco.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista

I can make Oct 11 and 12 work but I am not free on October 21. If we examine Catherine on Oct 11 and 12 we need time to file our affidavit after receiving the transcripts. And then you need to schedule time for questioning on that affidavit and schedule time for rebuttal evidence and for answering undertakings and questioning on undertakings. I am happy to start the process on Oct 11 and 12 but I am not sure we can be ready and as this is a significant application, we are not prepared to compromise on time to prepare properly and to have time to draft documents and briefs properly. It is unfortunate that since this has been set for quite some time that we are just starting now with the process to getting ready for the application.

I welcome your thoughts on how to get this done.

Doris

 **Doris C.E. Bonora**
Partner

D +1 780 423 7188
doris.bonora@dentons.com
Bio | Website

Dentons Canada LLP
2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

大成 Salans FMC SNR Denton McKenna Long

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From: Crista Osualdini [<mailto:cosualdini@mross.com>]
Sent: 25-Aug-16 9:57 AM
To: Nancy Cumming
Cc: Bonora, Doris; Karen Platten
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy and Doris,

I know that Doris was busy yesterday, but I wanted to follow up on scheduling for the November 9th application.

I acknowledge that Sept 22 and 23 do not work for either you or Doris (or both) for questioning of Catherine. Can you please propose alternate dates in September that

would work. As an alternative, if we are running into difficulty scheduling for September, we could also plan to examine Catherine and any of the trustees' affiants over October 11 and 12 as these dates work for everyone. Please advise.

Also, I noted in the subject line of this email that it only refers to the 2014 Action. I confirm that our application for indemnification is filed in both the 2011 and 2014 actions. Given that both Nancy and Doris have asked to be present at the examination of Catherine, it was my assumption that this transcript will be available for use in both the 2011 and 2014 actions. If my assumption is inaccurate, please advise.

Crista

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Tuesday, August 23, 2016 11:03 AM
To: Crista Osualdini <cosualdini@mross.com>
Cc: doris.bonora@dentons.com; Karen Platten <kplatten@mross.com>
Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista, I previously provided a list of available dates. I am not available on Sept 22 and 23.

Sent from my iPhone

On Aug 23, 2016, at 11:14 AM, Crista Osualdini <cosualdini@mross.com> wrote:

Nancy and Doris,

Further to Nancy's email regarding examination of Ms. Twinn, I am writing to respond and to also propose a schedule on litigation steps so that we are prepared to proceed on Nov 9.

My proposed schedule is as follows:

1. All evidence of Catherine Twinn to be filed by September 9, 2016
2. Examinations of Catherine to occur over September 22 and 23 (if only one day is needed that is fine, but we should reserve 2 just in case)
3. All evidence of respondent's to be filed by October 3, 2016
4. Any examinations on response Affidavits to occur on October 11 and 12
5. Any rebuttal evidence to be filed by October 17
6. Any cross examination on rebuttal evidence to occur on October 21
7. Given that my brief in this matter is due on October 21, any evidence arising from the cross examination on rebuttal evidence can be included in a reply brief by our office.

Please provide me with your comments on the proposed schedule.

Crista

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Tuesday, August 16, 2016 4:18 PM
To: Karen Platten <kplatten@mross.com>
Cc: Bonora, Doris (doris.bonora@dentons.com)
<doris.bonora@dentons.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen, I would like to schedule a cross-examination on Affidavit of your client. I have spoken to Doris and our common available dates are September 8, 21 and October 11, 12. Please advise of your availability and Ms. Twinn's availability. Thank you.
Nancy Cumming

Nancy E. Cumming, Q.C. <[image002.jpg](#)>
Partner

EMAIL necumming@bryanco.com

<[image004.jpg](#)> **Bryan & Company LLP**
2600 Manulife Place 10180 101 Street Edmonton Alberta T5J 3Y2
Direct 780-420-4733 | Toll free 1 800 357 9265 | Fax 780 428 6324
Web www.bryanco.com

From: Nancy Cumming
Sent: Wednesday, August 10, 2016 4:12 PM
To: 'Karen Platten'
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

The difficulty with your vague response is that I may well need to cross examine Ms. Twinn on her affidavits. If you choose to provide a further affidavit at a later date, then I put you on notice that it may be necessary to adjourn the special chambers application to allow sufficient time for cross examination to take place.

From: Karen Platten [<mailto:kplatten@mross.com>]
Sent: Wednesday, August 10, 2016 3:53 PM
To: Nancy Cumming
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

That is a possibility. If it is the case, we will certainly advise you.

Karen.

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Wednesday, August 10, 2016 3:35 PM
To: Karen Platten <kplatten@mross.com>

Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Are you planning on providing a further affidavit prior to the date set for the special chambers application?

From: Karen Platten [<mailto:kplatten@mross.com>]
Sent: Wednesday, August 10, 2016 3:33 PM
To: Nancy Cumming
Cc: Crista Osualdini
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy,

There is not a further affidavit filed at this point in time.

Karen.

Karen A. Platten Q.C. | Legal Counsel | direct 780.482.9278 | toll free 1.800.567.9278
McLennan Ross LLP | www.mross.com | [BIOGRAPHY](#)
600 McLennan Ross Building, 12220 Stony Plain Road, Edmonton, AB T5N 3Y4

<image003.jpg>

This e-mail may contain confidential information and be subject to solicitor-client privilege. If received in error, please notify the sender immediately.

McLennan Ross LLP would like the opportunity to send you invitations and legal updates.

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Wednesday, August 10, 2016 3:29 PM
To: Karen Platten <kplatten@mross.com>
Subject: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen,

I note that I have still not received the requested Affidavit. Is there any reason why it has not yet been provided?

Nancy

Nancy E. Cumming, Q.C. <image005.jpg>
Partner

EMAIL
necumming@bryanco.com

<image008.jpg>

Bryan & Company LLP
2600 Manulife Place 10180 101 Street Edmonton Alberta T5J 3Y2
Direct 780-420-4733 | Toll free 1 800 357 9265 | Fax 780 428 6324
Web www.bryanco.com

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From: Crista Osualdini
Sent: Friday, August 26, 2016 11:25 AM
To: Bonora, Doris
Cc: Karen Platten; Ryan Martin
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Thanks for the clarification.

As a follow up, just to ensure we are on the same page, are you intending to rely on the transcript created in Nancy's examination as part of your response in the 2011 Action?

From: Bonora, Doris [mailto:doris.bonora@dentons.com]
Sent: Friday, August 26, 2016 8:01 AM
To: Crista Osualdini <cosualdini@mross.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista,

I understand that you are seeking advance costs in both actions and so we will be examining as well

Doris



Doris C.E. Bonora
Partner

D +1 780 423 7188
doris.bonora@dentons.com
Bio | Website

Dentons Canada LLP
2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

大成 Salans FMC SNR Denton McKenna Long

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This is Exhibit " E " referred to in the
Affidavit of
Danielle Pfeifle
Sworn before me this 26 day
of August A.D., 20 16
B. Walton
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

BERNICE WALTON
A Commissioner for Oaths
in and for Alberta

My Commission Expires June 16, 2017

From: Crista Osualdini [mailto:cosualdini@mross.com]
Sent: 25-Aug-16 7:01 PM
To: Bonora, Doris
Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Also are you intending to examine or is this a 2014 Action examination?

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Crista Osualdini

Sent: Thursday, August 25, 2016 6:57 PM
To: Bonora, Doris
Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

What is available then in early September. September 8 and 21 were dates already offered by Nancy as available.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Bonora, Doris
Sent: Thursday, August 25, 2016 6:53 PM
To: Crista Osualdini
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista

Nancy and I may have our wires crossed. I am not free on September 8. I will let Nancy speak to September 21.

Doris

 大成 DENTONS

Doris C.E. Bonora
Partner

D +1 780 423 7188
doris.bonora@dentons.com
Bio | Website

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2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

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From: Crista Osualdini [<mailto:cosualdini@mross.com>]
Sent: 25-Aug-16 6:34 PM
To: Bonora, Doris; Nancy Cumming
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Hi Doris,

Another idea occurred to me.

Nancy had previously advised that Sept 8 was available. Catherine and I both had previous commitments that day, however, given the importance of this application, we will make the necessary adjustments in order to be available on September 8 for Catherine's questioning. This would then free up September 21 for questioning of your affiants. This will allow for most of October for any rebuttal evidence/examinations/undertakings. We could keep October 11 and 12 available for these examinations.

I do not anticipate that we will be filing any further evidence, aside perhaps from rebuttal evidence, however, I will confirm this position and if there is a further Affidavit, have it provided by end of business on August 30.

Does this schedule work?

From: Bonora, Doris [<mailto:doris.bonora@dentons.com>]
Sent: Thursday, August 25, 2016 6:27 PM
To: Crista Osualdini <cosualdini@mross.com>; Nancy Cumming <necumming@bryanco.com>
Cc: 'Paul@sawridgetrusts.ca' <Paul@sawridgetrusts.ca>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista,

I'm sorry, I thought that we were still awaiting an affidavit from Catherine Twinn. Am I wrong about that? I thought the last affidavit was only coming on September 9, 2016. I know Nancy has written a couple of times asking about the affidavit and I think we only learned recently about the next affidavit being filed on September 9, 2016.

September is a bad month for Nancy and I. She is getting married and going on a honey moon and I am going to France to present at a trust conference. Both events have been planned for a long time.

I will let Nancy speak to September 21, as that is 3 days before her wedding day.

Doris



Doris C.E. Bonora
Partner

D +1 780 423 7188
doris.bonora@dentons.com
Bio | Website

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2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

大成 Salans FMC SNR Denton McKenna Long

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From: Crista Osualdini [<mailto:cosualdini@mross.com>]
Sent: 25-Aug-16 5:28 PM
To: Bonora, Doris; Nancy Cumming
Cc: Karen Platten
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Doris,

Our application and Affidavit have been available for some time and it is disappointing that steps were not taken by the trustees to examine earlier.

What is your availability in September for an examination of Catherine. If necessary we can make Catherine available on September 21 and an alternate lawyer from our office can attend in order to make timing work. Nancy had previously

advised that this was a date that was available to both of you. This will keep October 11 and 12 available for examination of your affiants.

What date are you available for examination on rebuttal evidence of October 21 is not workable?

Also, can you please advise if this examination will be used in the 2011 action or if you are only attending to observe?

From: Bonora, Doris [<mailto:doris.bonora@dentons.com>]

Sent: Thursday, August 25, 2016 5:18 PM

To: Crista Osualdini <cosualdini@mross.com>; Nancy Cumming <necumming@bryanco.com>

Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista

I can make Oct 11 and 12 work but I am not free on October 21. If we examine Catherine on Oct 11 and 12 we need time to file our affidavit after receiving the transcripts. And then you need to schedule time for questioning on that affidavit and schedule time for rebuttal evidence and for answering undertakings and questioning on undertakings. I am happy to start the process on Oct 11 and 12 but I am not sure we can be ready and as this is a significant application, we are not prepared to compromise on time to prepare properly and to have time to draft documents and briefs properly. It is unfortunate that since this has been set for quite some time that we are just starting now with the process to getting ready for the application.

I welcome your thoughts on how to get this done.

Doris

 大成 DENTONS

Doris C.E. Bonora
Partner

D +1 780 423 7188
doris.bonora@dentons.com
Bio | Website

Dentons Canada LLP
2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

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From: Crista Osualdini [<mailto:cosualdini@mross.com>]

Sent: 25-Aug-16 9:57 AM

To: Nancy Cumming

Cc: Bonora, Doris; Karen Platten

Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy and Doris,

I know that Doris was busy yesterday, but I wanted to follow up on scheduling for the November 9th application.

I acknowledge that Sept 22 and 23 do not work for either you or Doris (or both) for questioning of Catherine. Can you please propose alternate dates in September that would work. As an alternative, if we are running into difficulty

scheduling for September, we could also plan to examine Catherine and any of the trustees' affiants over October 11 and 12 as these dates work for everyone. Please advise.

Also, I noted in the subject line of this email that it only refers to the 2014 Action. I confirm that our application for indemnification is filed in both the 2011 and 2014 actions. Given that both Nancy and Doris have asked to be present at the examination of Catherine, it was my assumption that this transcript will be available for use in both the 2011 and 2014 actions. If my assumption is inaccurate, please advise.

Crista

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Tuesday, August 23, 2016 11:03 AM
To: Crista Osualdini <cosualdini@mross.com>
Cc: doris.bonora@dentons.com; Karen Platten <kplatten@mross.com>
Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista, I previously provided a list of available dates. I am not available on Sept 22 and 23.

Sent from my iPhone

On Aug 23, 2016, at 11:14 AM, Crista Osualdini <cosualdini@mross.com> wrote:

Nancy and Doris,

Further to Nancy's email regarding examination of Ms. Twinn, I am writing to respond and to also propose a schedule on litigation steps so that we are prepared to proceed on Nov 9.

My proposed schedule is as follows:

1. All evidence of Catherine Twinn to be filed by September 9, 2016
2. Examinations of Catherine to occur over September 22 and 23 (if only one day is needed that is fine, but we should reserve 2 just in case)
3. All evidence of respondent's to be filed by October 3, 2016
4. Any examinations on response Affidavits to occur on October 11 and 12
5. Any rebuttal evidence to be filed by October 17
6. Any cross examination on rebuttal evidence to occur on October 21
7. Given that my brief in this matter is due on October 21, any evidence arising from the cross examination on rebuttal evidence can be included in a reply brief by our office.

Please provide me with your comments on the proposed schedule.

Crista

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Tuesday, August 16, 2016 4:18 PM
To: Karen Platten <kplatten@mross.com>
Cc: Bonora, Doris (doris.bonora@dentons.com) <doris.bonora@dentons.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen, I would like to schedule a cross-examination on Affidavit of your client. I have spoken to Doris and our common available dates are September 8, 21 and October 11, 12.

Please advise of your availability and Ms. Twinn's availability.
Thank you.
Nancy Cumming

Nancy E. Cumming, Q.C.
Partner

EMAIL necumming@bryanco.com



Bryan & Company LLP

2600 Manulife Place 10180 101 Street Edmonton Alberta T5J 3Y2

Direct 780-420-4733 | Toll free 1 800 357 9265 | Fax 780 428 6324

Web www.bryanco.com

From: Nancy Cumming
Sent: Wednesday, August 10, 2016 4:12 PM
To: 'Karen Platten'
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

The difficulty with your vague response is that I may well need to cross examine Ms. Twinn on her affidavits. If you choose to provide a further affidavit at a later date, then I put you on notice that it may be necessary to adjourn the special chambers application to allow sufficient time for cross examination to take place.

From: Karen Platten [<mailto:kplatten@mross.com>]
Sent: Wednesday, August 10, 2016 3:53 PM
To: Nancy Cumming
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

That is a possibility. If it is the case, we will certainly advise you.

Karen.

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Wednesday, August 10, 2016 3:35 PM
To: Karen Platten <kplatten@mross.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Are you planning on providing a further affidavit prior to the date set for the special chambers application?

From: Karen Platten [<mailto:kplatten@mross.com>]
Sent: Wednesday, August 10, 2016 3:33 PM
To: Nancy Cumming
Cc: Crista Osualdini
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy,

There is not a further affidavit filed at this point in time.

Karen.

Karen A. Platten Q.C. | Legal Counsel | direct 780.482.9278 | toll free 1.800.567.9200 | fax 780.482.9278
McLennan Ross LLP | www.mross.com | [BIOGRAPHY](#)
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<image003.jpg>

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From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Wednesday, August 10, 2016 3:29 PM
To: Karen Platten <kplatten@mross.com>
Subject: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen,

I note that I have still not received the requested Affidavit. Is there any reason why it has not yet been provided?

Nancy

Nancy E. Cumming, Q.C. <image005.jpg>
Partner

EMAIL
necumming@bryanco.com

Bryan & Company LLP

2600 Manulife Place 10180 101 Street Edmonton Alberta T5J 3Y2

<image008.jpg>

Direct 780-420-4733 | Toll free 1 800 357 9265 | Fax 780 428 6324

Web www.bryanco.com

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This is Exhibit " F " referred to in the
Affidavit of

Danielle Pfeifle

Sworn before me this 26 day
of August A.D., 2016

B. Walton
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

BERNICE WALTON

A Commissioner for Oaths
in and for Alberta
My Commission Expires June 16, 2017

From: Loparco, Anna [mailto:anna.loparco@dentons.com]
Sent: Friday, August 26, 2016 12:45 PM
To: Crista Osualdini <cosualdini@mross.com>; Bonora, Doris <doris.bonora@dentons.com>; Nancy Cumming <necumming@bryanco.com>
Cc: Dalgetty, Sarah <sarah.dalgetty@dentons.com>; Karen Platten <kplatten@mross.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Hi Crista

I just spoke with Doris. I misunderstood my involvement. While I will be there, it is Doris' attendance that is important so we will need to check with her schedule first.

Regards,

大成 DENTONS

Anna Loparco
Partner

D +1 780 423 7137
anna.loparco@dentons.com
Bio | Website

Dentons Canada LLP
2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

大成 Salans FMC SNR Denton McKenna Long

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From: Crista Osualdini [mailto:cosualdini@mross.com]
Sent: 26-Aug-16 12:31 PM
To: Loparco, Anna; Bonora, Doris; Nancy Cumming
Cc: Dalgetty, Sarah; Karen Platten
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Hi Anna,

That's good news. Thank you. Hopefully this helps alleviate some scheduling issues we have been having. I believe the ball is in Dentons and Nancy's court to propose a timetable to get this ready for Nov 9th.

I am certainly willing to be flexible on scheduling on my end.

From: Loparco, Anna [<mailto:anna.loparco@dentons.com>]
Sent: Friday, August 26, 2016 11:55 AM
To: Crista Osualdini <cosualdini@mross.com>
Cc: Dalgetty, Sarah <sarah.dalgetty@dentons.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Hi Crista

Thanks for passing this along. My availability is generally good in September and October so I will wait for Nancy to reply first.

 DENTONS

Anna Loparco
Partner

D +1 780 423 7137
anna.loparco@dentons.com
Bio | Website

Dentons Canada LLP
2900 Manulife Place, 10180 - 101 Street Edmonton, AB T5J 3V5 Canada

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From: Crista Osualdini [<mailto:cosualdini@mross.com>]
Sent: 25-Aug-16 2:08 PM
To: Loparco, Anna
Subject: FW: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

FYI. This is the email I was referring to.

From: Crista Osualdini
Sent: Thursday, August 25, 2016 9:57 AM
To: 'Nancy Cumming' <necumming@bryanco.com>
Cc: doris.bonora@dentons.com; Karen Platten <kplatten@mross.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy and Doris,

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I acknowledge that Sept 22 and 23 do not work for either you or Doris (or both) for questioning of Catherine. Can you please propose alternate dates in September that would work. As an alternative, if we are running into difficulty scheduling for September, we could also plan to examine Catherine and any of the trustees' affiants over October 11 and 12 as these dates work for everyone. Please advise.

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Sent: Tuesday, August 23, 2016 11:03 AM
To: Crista Osualdini <cosualdini@mross.com>
Cc: doris.bonora@dentons.com; Karen Platten <kplatten@mross.com>
Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

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Sent from my iPhone

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7. Given that my brief in this matter is due on October 21, any evidence arising from the cross examination on rebuttal evidence can be included in a reply brief by our office.

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Sent: Tuesday, August 16, 2016 4:18 PM
To: Karen Platten <kplatten@mross.com>
Cc: Bonora, Doris (doris.bonora@dentons.com) <doris.bonora@dentons.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen, I would like to schedule a cross-examination on Affidavit of your client. I have spoken to Doris and our common available dates are September 8, 21 and October 11, 12. Please advise of your availability and Ms. Twinn's availability.
Thank you.
Nancy Cumming

Nancy E. Cumming, Q.C.

Partner

EMAIL necumming@bryanco.com



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ALLIANCE
OF LAW FIRMS



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Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

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Sent: Wednesday, August 10, 2016 3:53 PM
To: Nancy Cumming
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

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Karen.

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Wednesday, August 10, 2016 3:35 PM
To: Karen Platten <kplatten@mross.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Are you planning on providing a further affidavit prior to the date set for the special chambers application?

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Sent: Wednesday, August 10, 2016 3:33 PM
To: Nancy Cumming
Cc: Crista Osualdini
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy,

There is not a further affidavit filed at this point in time.

Karen.

Karen A.Platten Q.C. | Legal Counsel | direct 780.482.9278 | toll free 1.800.567.9200 | fax 780.482.9278
McLennan Ross LLP | www.mross.com | [BIOGRAPHY](#)
600 McLennan Ross Building, 12220 Stony Plain Road, Edmonton, AB T5N 3Y4

<image003.jpg>

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From: Nancy Cumming [<mailto:necumming@bryanco.com>]

Sent: Wednesday, August 10, 2016 3:29 PM

To: Karen Platten <kplatten@mross.com>

Subject: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen,

I note that I have still not received the requested Affidavit. Is there any reason why it has not yet been provided?

Nancy

Nancy E. Cumming, Q.C. <image005.jpg>

Partner

EMAIL

necumming@bryanco.com

<image008.jpg>

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2600 Manulife Place 10180 101 Street Edmonton Alberta T5J 3Y2
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From: Loparco, Anna <anna.loparco@dentons.com>
Sent: Thursday, August 25, 2016 2:02 PM
To: Crista Osualdini
Cc: Dalgetty, Sarah
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Hi Crista,
Could you loop me into the scheduling of this as I will be attending on behalf of Doris.

Thank you.



Anna Loparco
Partner

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From: Bonora, Doris
Sent: 24-Aug-16 2:35 PM
To: Loparco, Anna
Subject: FW: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946



Doris C.E. Bonora
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From: Crista Osualdini [<mailto:cosualdini@mross.com>]
Sent: 23-Aug-16 11:05 AM
To: Nancy Cumming
Cc: Bonora, Doris; Karen Platten
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Are there alternate dates in Sept as I am not available on the two dates you proposed.

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Tuesday, August 23, 2016 11:03 AM
To: Crista Osualdini <cosualdini@mross.com>
Cc: doris.bonora@dentons.com; Karen Platten <kplatten@mross.com>
Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Crista, I previously provided a list of available dates. I am not a available on Sept 22 and 23.

Sent from my iPhone

On Aug 23, 2016, at 11:14 AM, Crista Osualdini <cosualdini@mross.com> wrote:

Nancy and Doris,

Further to Nancy's email regarding examination of Ms. Twinn, I am writing to respond and to also propose a schedule on litigation steps so that we are prepared to proceed on Nov 9.

My proposed schedule is as follows:

1. All evidence of Catherine Twinn to be filed by September 9, 2016
2. Examinations of Catherine to occur over September 22 and 23 (if only one day is needed that is fine, but we should reserve 2 just in case)
3. All evidence of respondent's to be filed by October 3, 2016
4. Any examinations on response Affidavits to occur on October 11 and 12
5. Any rebuttal evidence to be filed by October 17
6. Any cross examination on rebuttal evidence to occur on October 21
7. Given that my brief in this matter is due on October 21, any evidence arising from the cross examination on rebuttal evidence can be included in a reply brief by our office.

Please provide me with your comments on the proposed schedule.

Crista

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Tuesday, August 16, 2016 4:18 PM
To: Karen Platten <kplatten@mross.com>
Cc: Bonora, Doris (doris.bonora@dentons.com) <doris.bonora@dentons.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen, I would like to schedule a cross-examination on Affidavit of your client. I have spoken to Doris and our common available dates are September 8,21 and October 11, 12.

Please advise of your availability and Ms. Twinn's availability.
Thank you.
Nancy Cumming

Nancy E. Cumming, Q.C.
Partner

EMAIL necumming@bryanco.com



Bryan & Company LLP
2600 Manulife Place 10180 101 Street Edmonton Alberta T5J 3Y2
Direct 780-420-4733 | Toll free 1 800 357 9265 | Fax 780 428 6324
Web www.bryanco.com

From: Nancy Cumming
Sent: Wednesday, August 10, 2016 4:12 PM
To: 'Karen Platten'
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

The difficulty with your vague response is that I may well need to cross examine Ms. Twinn on her affidavits. If you choose to provide a further affidavit at a later date, then I put you on notice that it may be necessary to adjourn the special chambers application to allow sufficient time for cross examination to take place.

From: Karen Platten [<mailto:kplatten@mross.com>]
Sent: Wednesday, August 10, 2016 3:53 PM
To: Nancy Cumming
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

That is a possibility. If it is the case, we will certainly advise you.

Karen.

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Wednesday, August 10, 2016 3:35 PM
To: Karen Platten <kplatten@mross.com>
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Are you planning on providing a further affidavit prior to the date set for the special chambers application?

From: Karen Platten [<mailto:kplatten@mross.com>]
Sent: Wednesday, August 10, 2016 3:33 PM
To: Nancy Cumming
Cc: Crista Osualdini
Subject: RE: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy,

There is not a further affidavit filed at this point in time.

Karen.

Karen A.Platten Q.C. | Legal Counsel | direct 780.482.9278 | toll free 1.800.567.9200 | fax 780.482
McLennan Ross LLP | www.mross.com | [BIOGRAPHY](#)
600 McLennan Ross Building, 12220 Stony Plain Road, Edmonton, AB T5N 3Y4

<image003.jpg>

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McLennan Ross LLP would like the opportunity to send you invitations and legal updates electronic

From: Nancy Cumming [<mailto:necumming@bryanco.com>]
Sent: Wednesday, August 10, 2016 3:29 PM
To: Karen Platten <kplatten@mross.com>
Subject: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Karen,

I note that I have still not received the requested Affidavit. Is there any reason why it has not yet been provided?

Nancy

Nancy E. Cumming, Q.C. <image005.jpg>
Partner

EMAIL
necumming@bryanco.com

<image008.jpg> **Bryan & Company LLP**
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From: Crista Osualdini
Sent: Friday, August 26, 2016 3:32 PM
To: Ryan Martin
Subject: FW: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946
Attachments: Litigation Plan (01483797x7AC1F).docx

From: Crista Osualdini
Sent: Friday, August 26, 2016 9:58 AM
To: Karen Platten <kplatten@mross.com>; doris.bonora@dentons.com; Nancy Cumming <necumming@bryanco.com>
Subject: Re: Twinn v. Twinn - Action No. 1403 04885 - Our File No. 29793-1; Your File No. 281946

Nancy,

I am surprised that given that we are trying to schedule this matter for examination, that a holiday would have been booked within the last two days that prevents examination from proceeding on the dates you provided as available for both yourself and Ms. Bonora on August 16 and based on your email of August 23 appeared to still be available.

I have attempted to provide multiple scenarios in which we can schedule this matter, all of which have been unacceptable.

In a final attempt to schedule this matter, I propose the following:

1. Any further Affidavit evidence of Catherine will be provided by August 31, although I don't expect there will be any. Currently, the Affidavits submitted are the Affidavit filed September 3, 2015 in the 2014 Action and the September 30, 2015 Affidavit filed in the 2011 Action and the December 16, 2015 Affidavit that is filed in the 2011 and 2014 action concurrently. These Affidavits were provided to you on December 17, 2015 when our application was served.
2. By September 15, 2016 examination of Catherine will occur. Please provide dates when you are available and we will make them work.
3. By September 30 2016 examination of your affiants will occur. Your clients' affidavits would be due within a week of Catherine's examination.
4. We will hold October 11/12 for examination on any rebuttal evidence. Any rebuttal evidence will be provided within 5 days of the examination of your affiants.

This will provide for the remainder of October to deal with any matters arising from the examination.

Please find attached a proposed litigation plan to this effect. If we are unable to come to agreement on a reasonable schedule for moving this matter forward, it appears that we will need to appear in Chambers to have a litigation plan formally set.

Crista

This is Exhibit "G" referred to in the Affidavit of

.....Donielle Pfeiffer.....

Sworn before me this 26 day

of August A.D., 2016

.....B. Walton.....

A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

BERNICE WALTON

A Commissioner for Oaths
in and for Alberta

My Commission Expires June 16, 2017

0034

Clerk's stamp:

COURT FILE NUMBER

1103 14112 and 1403 04885

COURT OF QUEEN'S BENCH OF
ALBERTA
JUDICIAL CENTRE

EDMONTON

IN THE MATTER OF THE TRUSTEE ACT,
R.S.A. 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")

and

IN THE MATTER OF THE SAWRIDGE TRUST
CREATED BY CHIEF WALTER PATRICK
TWINN, OF THE SAWRIDGE INDIAN BAND
NO. 19, ON AUGUST 15, 1986
(the "1986 Sawridge Trust")

DOCUMENT

LITIGATION PLAN

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

Attention: Karen Platten Q.C.
McLennan Ross LLP
600 McLennan Ross Building
12220 Stony Plain Road
Edmonton, AB T5N 3Y4

Telephone: (780) 482-9278
Fax: (780) 482-9100
File No: 144194

The following steps and actions are to be completed on or before the dates specified below:

	ACTION	DEADLINE
1.	Trustee Catherine Twinn to file and serve any further evidence to be relied on at the November 9, 2016 application.	August 31, 2016
2.	Majority of Sawridge Trustees (Bryan & Co.) and Sawridge Trustees (Dentons and RMRF) to complete any cross examinations on evidence to be relied upon by Trustee Catherine Twinn	September 15, 2016
3.	Majority of Sawridge Trustees (Bryan & Co.) and Sawridge Trustees (Dentons and RMRF) to file and serve any response evidence to be relied on at the November 9, 2016 application	Within a week of completion of Step 2
4.	Trustee Catherine Twinn to complete any cross examinations on evidence to be relied upon by Majority of Sawridge Trustees (Bryan & Co.) and Sawridge Trustees (Dentons and RMRF)	September 30, 2016
5.	Trustee Catherine Twinn to file and serve any rebuttal evidence to be relied on at the November 9, 2016 application.	Within 5 days of completion of Step 4
6.	Majority of Sawridge Trustees (Bryan & Co.) and Sawridge Trustees (Dentons and RMRF) to complete any cross examinations on rebuttal evidence to be relied upon by Trustee Catherine Twinn	To be completed over the course of October 11 and 12, 2016
7.	All undertakings and examinations on Undertakings to be completed.	October 21, 2016

This Litigation Plan is agreed by the Parties

BRYAN & COMPANY LLP

Per:

Nancy Cumming, Q.C.
Solicitors for the Majority of Trustees of the
1985 and 1986 Sawridge Trust (Roland Twinn,
Walter Felix Twin, Bertha L'Hirondelle and
Clara Midbo)

McLENNAN ROSS LLP

Per:

Karen Platten, Q.C.
Solicitors for Catherine Twinn, Trustee of the
1985 and 1986 Sawridge Trust

DENTONS CANADA LLP

Per:

Doris Bonora
Solicitors for the Trustees of the 1985
Sawridge Trust (Roland Twinn, Catherine
Twinn, Walter Felix Twin, Bertha
L'Hirondelle and Clara Midbo)

**REYNOLDS MIRTH RICHARDS &
FARMER LLP**

Per:

Marco S. Poretti
Solicitors for the Trustees of the 1985
Sawridge Trust (Roland Twinn, Catherine
Twinn, Walter Felix Twin, Bertha
L'Hirondelle and Clara Midbo)