

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

APPLICANTS:

ROLAND TWINN, CATHERINE
TWINN, WALTER FELIX TWIN,
BERTHA L'HIRONDELLE and
CLARA MIDBO, as Trustees for the
1985 Sawridge Trust

DOCUMENT

**EXHIBITS 1 TO 8 TO THE
QUESTIONING ON
AFFIDAVIT TRANSCRIPTS
OF PAUL BUJOLD HELD ON
JULY 27, 2016**

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT

PARLEE McLAWS LLP
1500 Manulife Place
10180 - 101 Street
Edmonton, AB T5J 4K1
Attention: Edward H. Molstad, Q.C.
Telephone: (780) 423-8500
Facsimile: (780) 423-2870
File Number: 64203-7/EHM



Doris M. McKenna

From: Chantelle Monson <CMonson@jlhlaw.ca>
Sent: Friday, June 17, 2016 4:05 PM
To: Marco Poretti <mporetti@rmrf.com>; Doris Bonora <doris.bonora@dentons.com>; Edward H. Molstad; Karen Platten <kplatten@mross.com>; Crista Osualdini
Cc: Janet Hutchison
Subject: Sawridge - 51433 JLH
Attachments: 2016.06.17 ALL COUNSEL.pdf

EXHIBIT: 1
QUESTIONING OF: Paul Bjeld
Date: July 27, 2016
Allison Hawkins, CSR(A)

Good Afternoon,

Please find attached a letter in relation to the above noted matter.

Thank you,



HUTCHISON LAW

Chantelle Monson
Legal Assistant

Hutchison Law
#190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park, Alberta T8H 2A3
Phone: 780-417-7871 (ext. 223)
Fax: 780-417-7872

CONFIDENTIALITY WARNING

This email transmission, and any attachments to it, contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of the information in, or attached to this email is strictly prohibited. If you have received this communication in error, please notify us immediately by collect telephone 780-417-7871 return the original to us by regular mail and permanently delete any electronic copies. Thank you.



Our File: 51433 JLH

SENT BY EMAIL ONLY

June 17, 2016

Reynolds Mirth Richards & Farmer LLP
Suite 3200 Manulife Place
10180 - 101 Street
Edmonton, Alberta T5J 3W8

Attention: Marco Poretti

Dentons LLP
Suite 2900 Manulife Place
10180 - 101 Street
Edmonton, Alberta T5J 3W8

Attention: Doris Bonora

Parlee McLaws LLP
1500 Manulife Place
10180-101 Street
Edmonton, Alberta
T5J 4K1

Attention: Edward Molstad, Q.C.

McLennan Ross LLP
600 McLennan Ross Building
12220 Stony Plain Road
Edmonton, Alberta
T5N 3Y4

Attention: Karen Platten, Q.C. and Crista Osualdini

Dear Sirs and Mesdames:

Re: Sawridge Band Inter Vivos Settlement (1985 Sawridge Trust); QB Action No. 1103 14112

We are writing to provide the OPGT's position on the litigation plan that has been under discussion. This letter will also serve as a response to Dentons' June 7 and June 9, 2016 correspondence and Parlee McLaws' June 15, 2016 correspondence.

OPGT 5.13 Applications

In relation to the 5.13 Application regarding Distribution for documents that Sawridge First Nation ("SFN") may have possession of that would assist in testing the fairness of the Trustees' proposed distribution schedule, in light of the restrictions set out in *Sawridge #3* the OPGT will not be seeking consent, or leave of the Court, to file an application on that topic.

In relation to the 5.13 Application regarding Membership, the OPGT will be filing a brief written submission on that application to ensure that the Court is made aware of the information that has been provided by the SFN since January 29, 2016. We expect, based on *Sawridge #3*, the Court would then make a decision regarding whether the information received fully satisfies its directions. The OPGT will not be seeking to file affidavit evidence in relation to that application and anticipates its submissions will be relatively brief, similar in length to the SFN submissions. The nature of those submissions is anticipated to be similar in nature to a report or update to the Court. That submission will also speak to the SFN's ongoing request for a costs award against the OPGT.

The 5.13 Application regarding Assets is, in the OPGT's view, related to the Trustees' proposed application to "clarify" the relief they are seeking in relation to assets. We note, in that regard, that while OPGT counsel did receive Dentons' May 13, 2016 email in that regard, for some reason OPGT counsel was not copied with the form of proposed consent order that was sent to all other counsel on June 8, 2016.

In any event, the OPGT's current instructions are not to consent to that "clarification" in the form of a consent order at this time. In particular, the OPGT is conscious that there remain many unanswered questions, including those posed by McLennan Ross' email of May 18, 2016. The clarification provided did not include specific statements that, if the parties or the Court accepted the "clarification", the Trustees would commit to a binding legal position that nothing in the within proceeding would be relied on by the Trustees to attempt to prevent any beneficiary (the OPGT's interest being, of course, the minor beneficiaries) from seeking a full accounting from the 1985 Trust, including an accounting to establish whether all the assets intended to be settled into the 1982 Trust were actually transferred into the 1985 Trust.

The OPGT remains open to discussions on this point, but for the purposes of scheduling, is currently of the view that the parties require the guidance of the Court as to its interpretation and directions on the transfer issue originally put before it by the Trustees.

The OPGT will be filing a concise written submission in relation to the 5.13 Assets application to make the Court aware of the OPGT's understanding of the scope of the asset element of the application, advise of the information received from the SFN and Trustees regarding their view of the scope, and request the Court to determine which issues it has an obligation, in a trust context, to consider before granting any relief sought by the Trustees. We expect that if the Court considers it has an obligation to examine any of the issues identified by the OPGT, the Court will direct the SFN to comply with the 5.13 document requests. If the Court finds that it has no obligation to consider those matters, it may also decide it does not require any of the information sought in the OPGT's application. Those are matters for the Court to determine.

The OPGT will not be filing affidavit evidence in support of this submission. The OPGT will not be seeking to conclude Paul Bujold's questioning prior to the August 24, 2016 hearing as the Court's decision on the issues identified above will determine what scope of future questioning the Court feels it requires in order to deal with the final order regarding the asset issue.

The proposed timelines for the remaining steps regarding the 5.13 Applications are set out in the attached revised Litigation Plan.

Trustees' Position on OPGT Accounts

We do not intend to address the substantive disputes over these matters in correspondence to all counsel. It is sufficient for the purposes of this correspondence to note that the OPGT and the Trustees clearly have a very different understanding of their without prejudice agreements regarding the advance and full costs indemnity awarded by the Court of Appeal and, indeed, a very different understanding of the obligations placed on the Trustees by that indemnity.

In relation to Trustees' proposal to include deadlines for addressing these issues in the litigation plan, the OPGT is willing to do so. However, the OPGT expects the Trustees to be bound by specific deadlines in that process as well and has revised the litigation plan accordingly.

Other Items for Follow Up

- 1.) The Trustees had requested that the Minutes of Settlement relating to the discontinuance of the appeal from *Sawridge #3* be provided to Justice Thomas. The OPGT does not see any need to put those Minutes before the Court. The only situation the OPGT is currently aware of that might necessitate putting this without prejudice settlement document before a Court would be a situation where a party was in breach of the Minutes. Please confirm the Trustees are not suggesting that any such situation currently exists.
- 2.) Regarding the Trustees' request for the OPGT's consent to the Proposed Distribution arrangement, we will be responding to the Trustees regarding this matter by way of separate correspondence, in advance of any possible filing deadlines for submissions for the August 24, 2016 case management meeting.
- 3.) The OPGT will be following up regarding aspects of the April 20, 2016 meeting by way of separate correspondence. However, Parlee McLaws' June 15, 2016 correspondence suggests that clarification of one element of that meeting is required prior to further response. OPGT's counsel requested confirmation, at least twice during the April 20, 2016 meeting, that the entire meeting was acknowledged by all counsel to be without prejudice. Do any of the participants in the April 20, 2016 meeting (in that we refer to the clients as well as their representatives) have a different understanding of the status of the April 20, 2016 meeting?

Thank you for your attention to this matter.

Yours truly,

HUTCHISON LAW

PER: JANET L. HUTCHISON

JLH/cm

Enclosures

cc: Client

cc: E. Meehan, Q.C., Supreme Advocacy LLP

Clerk's stamp:

COURT FILE NUMBER 1103 14112

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")

DOCUMENT

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

LITIGATION PLAN

Attention: Marco S. Poretti
Reynolds, Mirth, Richards & Farmer LLP
3200 Manulife Place
10180 - 101 Street
Edmonton, AB T5J 3W8

Telephone: (780) 497-3325
Fax: (780) 429-3044
File No: 108511-001-MSP

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

Telephone: (780) 423-7188
Fax: (780) 423-7276
File No: 551860-001

The following steps and actions are to be completed on a best efforts basis, and subject to the Court's availability, on or before the dates specified below:

Comments in red by Ed Molstad

Comments in Blue by Karen Platten

Comments in green by Dentons

No comments provided by the OPGT to date

Comments in burgundy provided by the OPGT

	ACTION	DEADLINE
1.	Sawridge Trustees - to provide clarification on transfer issue.	May 15, 2016 - Completed
2.	Sawridge Trustees - to provide position on proposed distribution scheme.	May 15, 2016 - Completed
3.	OPGT – response to March 15, 2016 Sawridge First Nation Brief re: Beneficiary Application and Settlement Application. Unnecessary because OPGT will be filing and serving the amended application on June 15, 2016 (EM) Acceptable to remove this item Acceptable to remove this item. Require clarification re: the SFN's comments re: an amended application if June 17, 2016 does not address their position.	May 30, 2016.
4.	OPGT – to advise which 5.13 applications are proceeding.	June 17, 2016 Completed
5.	OPGT - to advise on whether it shall question Paul Bujold in advance of 5.13 application. OPGT will not seek to complete questioning of Paul Bujold until Court has determined what the scope of the asset issue in the Trustee's application will be.	June 17, 2016 Completed
6.	OPGT to provide additional responses to Trustee's questions on the July 2015 accounts, specifically to respond to the Trustee's list of questions in the March 31, 2016 correspondence	July 4, 2016
7.	Trustees to provide final response regarding OPGT July 2015 accounts, or full or partial payment, of July 2015	July 19, 2016, or two weeks after receipt of

	OPGT accounts	#6, whichever date is earlier.
8.	OPGT to file written submissions in response to SFN March 31, 2016 submissions on 5.13 applications and costs.	July 15, 2016
9.		
10.		
11.	Respondents - response on 5.13 applications.	July 29, 2016
12.	OPGT – provide up to date billing to Trustees (from June 2015 to the present).	Within 30 days of receipt of payment of at least 50% of the amounts owing on the July 2015 accounts or final resolution of the Trustee's questions regarding the July 2015 accounts
13.	<p>An application to be filed by the OPGT and Twinn to determine if Justice Thomas is able to hear the proposed distribution scheme application. Change to: Whether Justice Thomas is to hear any application involving final relief such as the definition of beneficiaries under the 1985 Trust.</p> <p>Change is acceptable</p>	TBD
14.	<p>Case Management Conference – to set the terms and procedure for the final determination of the matter. No indication of what is being sought in the final determination. In paragraph 11, 12 and 13 there is no indication on the steps to get to the determination such as the steps to file briefs, applications to be filed etc.</p> <p>Only deal with the 5.13 applications in the Litigation Plan.</p> <p>Propose that the application August 24 be guided by the special chambers rules with the Sawridge Trustees as the applicants. The transfer issue will only proceed if there is agreement by the parties.</p> <p>We do not agree that we should leave everything out except the 5.13 applications as we need to continue to</p>	TBD

	<p>move the litigation forward.</p> <p>The OPGT shares the concerns expressed by Counsel for Catherine Twinn and requests a specific and detailed explanation from the Trustees and SFN regarding what else the Trustees and SFN are currently contemplating addressing on August 24, 2016. This information was requested in the OPGT's correspondence dated June 10, 2016, point #4.</p>	
15.	<p>Potential Applications: (a) 5.13 applications; (b) Transfer issue; (c) Proposed Distribution Scheme (not to include definition of beneficiaries issue).</p>	August 24, 2016

This Litigation Plan is agreed by the Parties

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)

PARLEE McLAWS LLP

Per:

Edward H. Molstad Q.C.
Solicitors for the Sawridge First Nation

McLENNAN ROSS LLP

Per:

Karen Platten, Q.C.
Solicitors for Catherine Twinn

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)

HUTCHISON LAW

Per:

Janet Hutchison
Solicitors for the Office of the Public
Trustee of Alberta

Doris M. McKenna

From: Tracy L. Kaiser on behalf of Edward H. Molstad
Sent: Wednesday, July 06, 2016 1:30 PM
To: doris.bonora@dentons.com
Cc: 'Marco S. Poretti'; Karen Platten (kplatten@mross.com); cosualdini@mross.com; Nancy Cumming (necumming@bryanco.com); Eugene Meehan (emeehan@supremeadvocacy.ca); jhutchison@jlhlaw.ca
Subject: Sawridge Trust (64203-7/EHM)
Attachments: EHM LTR TO HUTCHISON JUNE 5, 2016 (E7197904).PDF

Doris,

The Public Trustee and the Sawridge First Nation have agreed to a schedule which is described in our letter of July 5th, 2016 (copy enclosed). We would ask that this be incorporated into the litigation plan.

We thank you for your assistance.

Yours truly,

Edward H. Molstad Q.C. | Counsel

We're Moving

As of Monday, August 29, 2016 our new address is:
1700 Enbridge Centre (formerly Kelly Ramsey Tower)
10175-101 Street NW, Edmonton, Alberta T5J 0H3



PARLEE McLAWS LLP

1500 Manulife Place, 10180-101 Street Edmonton, AB T5J 4K1
Direct: 780.423.8506 | Fax: 780.423.2870 | Email: emolstad@parlee.com

LEGAL NOTICE: The information contained in this email (including any attachments) is: (a) confidential, proprietary and subject to copyright, and may be subject to solicitor/client privilege, all such rights being reserved and not waived, and (b) intended only for the use of the named recipient(s). If you have received this communication in error, please notify us immediately by return email or telephone and delete all copies of the original message. If you are not an intended recipient, you are advised that copying, forwarding or other distribution of this email is prohibited. Thank you



PARLEE McLAWS ^{LLP}
BARRISTERS & SOLICITORS | PATENT & TRADEMARK AGENTS

July 5, 2016

EDWARD H. MOISTAD, Q.C.
DIRECT DIAL: 780.423.8506
DIRECT FAX: 780.423.2870
EMAIL: emolstad@parlee.com
OUR FILE #: 64203-7/EHM

Hutchison Law
190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park, Alberta T8H 2A3

Via email only

Attention: Ms. Janet Hutchison

Dear Madam:

Re: Sawridge Band Inter Vivos Settlement (1985 Sawridge Trust)
QB Action No. 1103 14112

In reply to your letter of July 5th, 2016, we confirm that the Sawridge First Nation and the Public Trustee have agreed to the following schedule:

July 7th, 2016 Public Trustee to provide particulars of evidence to be relied upon for the submissions and or brief on the 5.13 Membership issue and the 5.13 transfer issue (as Applicant). In addition to providing particulars, copies of the evidence which will be referred to or relied upon by the Public Trustee will be served upon the Sawridge First Nation;

July 7th, 2016 to July 27th, 2016, Sawridge First Nation will be allowed questioning on Affidavit evidence that will be referred to or relied upon in relation to the 5.13 Applications to be heard on August 24th, 2016.

August 5th, 2016, Public Trustee to file and serve written submissions and/or brief on the issues regarding the 5.13 Applications in relation to Membership and transfer issues as Applicant.

August 16th, 2016, Sawridge First Nation, Trustees and other parties to respond to the written brief on the section 5.13 Applications in relation to Membership and the transfer issue.

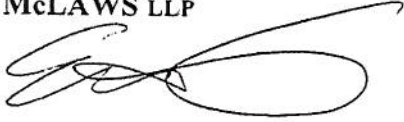
August 24th, 2016, 5.13 Applications on Membership and transfer issue by Public Trustee to be heard by Mr. Justice Thomas.

We do not agree to your proposed amendment to the litigation plan.

Your comments about generating unnecessary expenses are baseless and devoid of merit. Any litigant who applies for an Order requiring a person who is not a party to produce a record is required to serve copies of the evidence to be relied upon.

Yours truly,

PARLEE McLAWS LLP

A handwritten signature in black ink, appearing to be 'E. Molstad', with a large, sweeping loop at the end.

EDWARD H. MOLSTAD, Q.C.
EHM/tlk

Cc: Reynolds Mirth Richards & Farmer LLP – Attn: Mr. Marco Poretti
Cc: Dentons LLP – Attn: Ms Doris Bonora
Cc: Bryan & Company – Attn: Ms Nancy Cumming, Q.C.
Cc: McLennan Ross LLP – Attn: Ms Karen Platten, Q.C.
Cc: McLennan Ross LLP – Attn: Ms Crista Osualdini
Cc: Supreme Advocacy LLP - Mr. Eugene Meehan, Q.C.
(ALL VIA EMAIL ONLY)

Doris M. McKenna

From: Meghan Russ <mruss@jlhlaw.ca>
Sent: Thursday, July 07, 2016 4:17 PM
To: doris.bonora@dentons.com; Edward H. Molstad; MPoretti@rmrf.com; kplatten@mross.com; cosualdini@mross.com
Cc: emeehan@supremeadvocacy.ca; mfmajor@supremeadvocacy.ca
Subject: Sawridge Trust - 51433/JLH - Email #1
Attachments: 2016.07.07 ALL COUNSEL.pdf; 2015.09.30-AFFADAVIT-C-TWINN.pdf

EXHIBIT: 3

QUESTIONING OF: Paul Bujold

Date: July 27, 2016
Allison Hawkins, CSR(A)

To all,

Please find enclosed our correspondence of today's date and electronic copies of the documents referred to in the correspondence.

I will be sending a further email with additional attachments to ensure that the size of attachment does not create difficulties with receipt.

For documents where the only available electronic copy is on the Sawridge Trusts website, we have provided a hyper link directly to the document for your convenience.

- 1.) Paul Bujold, September 6, 2011 Affidavit-
<http://sawridgetrusts.ca/upload/files/1/docs/Affidavit%20of%20Paul%20Bujold,%20Procedural%20Court%20Order,%20Justice%20D.R.G.%20Thomas,%201103%2014112%20filed,%201985%20Trust,%20110901.pdf>
- 2.) Paul Bujold Affidavit, filed September 13, 2011 -
<http://sawridgetrusts.ca/upload/files/1/docs/Affidavit%20of%20Paul%20Bujold%20filed%20for%20Advice%20and%20Direction%20in%20the%201985%20Trust.pdf>
- 3.) Supplemental Affidavit of Paul Bujold, filed September 30, 2011-
<http://sawridgetrusts.ca/upload/files/1/docs/Supplemental%20Affidavit%20filed%20by%20Paul%20Bujold%20on%20the%20Application%20for%20Advice%20and%20Direction,%20110930.pdf>

We have not attached copies of the referenced correspondence from counsel, as they originated from Dentons or Parlee's. However, if copies of those items are required, please do not hesitate to advise us and copies will be scanned in and sent to you.

Thank you for your attention to this matter.



Meghan Russ
Paralegal

Hutchison Law
#190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park, Alberta T8H 2A3
Phone: 780-417-7871
Fax: 780-417-7872

CONFIDENTIALITY WARNING

This email transmission, and any attachments to it, contain confidential information intended for a specific individual and purpose. The information is private, may be subject to solicitor-client privilege, and is protected from unauthorized disclosure by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of the information in, or attached to this email is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone at (780) 417-7871, return the original to us by regular mail and permanently delete any electronic copies.



Our File: 51433 JLH

SENT BY EMAIL ONLY

July 7, 2016

Reynolds Mirth Richards & Farmer LLP
Suite 3200 Manulife Place
10180 - 101 Street
Edmonton, Alberta T5J 3W8

Attention: Marco Poretti

Dentons LLP
Suite 2900 Manulife Place
10180 - 101 Street
Edmonton, Alberta T5J 3W8

Attention: Doris Bonora

Parlee McLaws LLP
1500 Manulife Place
10180-101 Street
Edmonton, Alberta
T5J 4K1

Attention: Edward Molstad, Q.C.

McLennan Ross LLP
600 McLennan Ross Building
12220 Stony Plain Road
Edmonton, Alberta
T5N 3Y4

Attention: Karen Platten, Q.C. and Crista Osualdini

Dear Sirs and Mesdames:

Re: Sawridge Band Inter Vivos Settlement (1985 Sawridge Trust); QB Action No. 1103 14112

We are writing to provide the list of evidence, and copies of same, that will be referred to in the OPGT's written submissions regarding the Rule 5.13 applications on membership and assets, to be filed August 5, 2016, accordingly to the draft Litigation Plan.

Rule 5.13 Membership Application:

- 1.) Transcript of Questioning of Paul Bujold, on May 27 and 28, 2014;
- 2.) Affidavit of Paul Bujold, filed September 6, 2011;
- 3.) Affidavit of Paul Bujold, filed September 13, 2011;
- 4.) Supplemental Affidavit of Paul Bujold, dated September 30, 2011;
- 5.) Answers to Undertakings of Paul Bujold, particularly UT #19, 24, 28, 29, 31, 32, 33, 35, and 36;
- 6.) Catherine Twinn's Affidavit dated September 23, 2015, filed in this action on September 30, 2015. Our references will be limited, mainly to para 29. 29(h) will be referenced in relation to any costs applications made by the Respondents;
- 7.) Parlee McLaw's correspondence dated January 18, 2016; and
- 8.) Denton's email correspondence, and attached list, dated April 5, 2016;

Rule 5.13 Assets Application:

- 1.) Transcript of Questioning of Paul Bujold, on May 27 and 28, 2014;
- 2.) Affidavit of Paul Bujold, filed September 6, 2011;
- 3.) Affidavit of Paul Bujold, filed September 13, 2011;
- 4.) Answers to Undertakings of Paul Bujold, particularly UT#12, 13, 14, 15, 16, 17, 18, 38, 39 and 50;
- 5.) Catherine Twinn's Affidavit dated September 23, 2015, filed in this action on September 30, 2015. Our references will be limited, mainly to para 29. 29(h) will be referenced in relation to any costs applications made by the Respondents; and
- 6.) Denton's May 13, 2016 email correspondence, re: a proposed clarification re: assets.

We have attached electronic versions of Mr. Bujold's transcripts, Mr. Bujold's Answers to Undertakings, and Catherine Twinn's affidavit. As Mr. Bujold's Affidavits are all available on the Sawridge Trusts Website, as directed by the Court, we have provided hyperlinks to the documents. Please confirm this is sufficient to satisfy your request for copies of the relevant documents.

We note we look forward to the Trustee's response regarding why these three items that were not on the Sawridge Trust website are not yet posted. Our records indicated all of those items were filed with the Court prior to the September 2015 case management meetings.

We understand the once Sawridge First Nation has had an opportunity to review this list, it will advise as to whether it has any intention on examining on Mr. Bujold's or Ms. Twinn's affidavits. Until we have such a position, the OPGT will not expend unnecessary resources responding to the Trustee's questions as set out in the email correspondence from Denton's dated July 4, 2016 regarding SFN's ability to question on these affidavits. We would appreciate some clarification, however, as to why the Trustees are expending resources raising issues that affect the SFN's interests rather than the interests of the Trustees. We look forward to hearing from the Trustee's on that point in due course.

Thank you for your attention to this matter.

Yours truly,

HUTCHISON LAW



PER: JANET L. HUTCHISON

(Signed in the writer's absence to avoid delay)

JLH/mr

Enclosures

cc: Client

cc: E. Meehan, Q.C., Supreme Advocacy LLP

Doris M. McKenna

From: Tracy L. Kaiser on behalf of Edward H. Molstad
Sent: Monday, January 18, 2016 12:27 PM
To: 'Marco S. Poretti'; doris.bonora@dentons.com; Nancy Cumming (necumming@bryanco.com); Karen Platten (kplatten@mross.com); Priscilla Kennedy (priscilla.kennedy@dlapiper.com); Eugene Meehan (emeehan@supremeadvocacy.ca) jhutchison@jlhlaw.ca
Cc:
Subject: FW: Sawridge Trust (64203-7/EHM)
Attachments: pdf of January 18-16 ltr to Janet Hutchison (E7049937).PDF

We apologize for the confusion.

To clarify, the attachments to this letter were forwarded to Ms Hutchison only.

Edward H. Molstad Q.C. | Counsel

**PARLEE MCLAWS** LLP

1500 Manulife Place, 10180-101 Street Edmonton, AB T5J 4K1
Direct: 780.423.8506 | Fax: 780.423.2870 | Email: emolstad@parlee.com

LEGAL NOTICE: The information contained in this email (including any attachments) is: (a) confidential, proprietary and subject to copyright, and may be subject to solicitor/client privilege, all such rights being reserved and not waived, and (b) intended only for the use of the named recipient(s). If you have received this communication in error, please notify us immediately by return email or telephone and delete all copies of the original message. If you are not an intended recipient, you are advised that copying, forwarding or other distribution of this email is prohibited. Thank you

From: Tracy L. Kaiser **On Behalf Of** Edward H. Molstad
Sent: Monday, January 18, 2016 11:36 AM
To: 'Marco S. Poretti'; doris.bonora@dentons.com; Nancy Cumming (necumming@bryanco.com); Karen Platten (kplatten@mross.com); Priscilla Kennedy (priscilla.kennedy@dlapiper.com); Eugene Meehan (emeehan@supremeadvocacy.ca)
Cc: jhutchison@jlhlaw.ca
Subject: Sawridge Trust (64203-7/EHM)

Dear Sirs and Madams,

We are enclosing a copy of the letter of January 18th, 2016 that has been sent to Ms Hutchison without any of the schedules attached to it.

Yours truly,

Edward H. Molstad Q.C. | Counsel

**PARLEE MCLAWS** LLP

1500 Manulife Place, 10180-101 Street Edmonton, AB T5J 4K1
Direct: 780.423.8506 | Fax: 780.423.2870 | Email: emolstad@parlee.com

LEGAL NOTICE: The information contained in this email (including any attachments) is: (a) confidential, proprietary and subject to copyright, and may be subject to solicitor/client privilege, all such rights being reserved and not waived, and (b) intended only for the use of the named recipient(s). If you have received this communication in error, please notify us immediately by return email or telephone and delete all copies of the original message. If you are not an intended recipient, you are advised that copying, forwarding or other distribution of this email is prohibited. Thank you



PARLEE McLAWS ^{LLP}
BARRISTERS & SOLICITORS | PATENT & TRADEMARK AGENTS

January 18, 2016

EDWARD H. MOLSTAD, Q.C.
DIRECT DIAL: 780.423.8506
DIRECT FAX: 780.423.2870
EMAIL: emolstad@parlee.com
OUR FILE #: 64203-7/EHM

Hutchison Law
190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park, Alberta T8H 2A3

Via email

Attention: Ms Janet Hutchison

Dear Madam:

**Re: Sawridge Band Inter Vivos Settlement (1985 Sawridge Trust)
QB Action No. 1103 14112**

Pursuant to the Decision of the Honourable Mr. Justice D.R.G. Thomas rendered on December 17th, 2015, (Schedule "1"), it has been directed that the Sawridge First Nation provide the following:

1.(a) the names of individuals who have made applications to join Sawridge First Nation which are pending (adults who have unresolved applications to join Sawridge First Nation);

1.(b) the names of individuals who have had applications to join Sawridge First Nation rejected and are subject to challenge (adults who have applied for membership in Sawridge First Nation but have had that application rejected and are challenging that rejection by appeal or judicial review); and

2. The contact information for those individuals where available. (Paragraph 56 and 57 of the Reasons for Judgment).

In response to this Direction, we attach as Schedule "2" the names of the adult individuals who Sawridge First Nation advise have made application to join Sawridge First Nation and said applications are pending (adults who have unresolved applications to join Sawridge First Nation) with their contact information (address and phone number).

In relation to individuals who have had applications to join Sawridge First Nation rejected, Sawridge First Nation advises that the last application for membership in Sawridge First Nation that was denied occurred on December 9th, 2013 and there was no appeal in relation to that Decision.

Sawridge First Nation Membership Rules provide that when a Membership Application has been denied, an appeal of such decision to the electors of the Band must be initiated by delivering

Notice in writing to the Band Council at the office of the Band within 15 days after communication to him or her of the Decision of the Band Council.

Sawridge First Nation advises that there are no appeals with respect to denial of Membership outstanding at this time.

Sawridge First Nation also advises that there are no outstanding applications for Judicial Review of denial of any application for membership decided by the Electors of the Sawridge First Nation at this time.

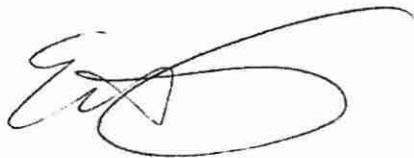
Although the Reasons for Judgment of The Honourable Mr. Justice D.R.G. Thomas did not specifically deal with this matter, Sawridge First Nation has interpreted the spirit of this decision to include the obligation on the part of Sawridge First Nation to provide the names of the adult parents of any minor who has made application for Membership and their application is outstanding.

In this regard, we attach as Schedule "3" a list of the adult parents who have made application for their minor children for Membership in the Sawridge First Nation with the contact information (address and phone number) of the parent.

We are not including the enclosures with the copies of this letter sent to all other counsel in order to maintain confidentiality.

Yours truly,

PARLEE McLAWS LLP

A handwritten signature in black ink, appearing to read 'E. Molstad', with a large, sweeping loop at the end.

EDWARD H. MOLSTAD, Q.C.

EHM/tlk
Encl.

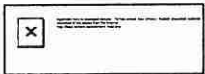
EXHIBIT: 5
QUESTIONING OF: Paul Byjold
Date: July 27, 2016
Allison Hawkins, CSR(A)

Doris M. McKenna

From: Bonora, Doris <doris.bonora@dentons.com>
Sent: Friday, May 13, 2016 4:57 PM
To: 'Janet Hutchison' (jhutchison@jlhlaw.ca); Karen Platten; Crista Osualdini; Edward H. Molstad; Marco S. Poretti; Gabriel Joshee-Arnal
Cc: Brian Heidecker; 'Paul@sawridgetrusts.ca'
Subject: Clarification of the transfer issue
Attachments: 21595350_1.docx

We are attaching a draft of the clarification of the transfer issue for your review and comments. This is intended to try and resolve this issue. If the clarification is acceptable we could draft a consent order to deal with this issue. We understood that Catherine Twinn and the OPGT had concerns that the transfer issue involved an accounting and we have attempted to make this clear. We would be pleased to hear your comments so that we can perhaps move ahead to resolve this single matter.

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

Dentons is a global legal practice providing client services worldwide through its member firms and affiliates. This email may be confidential and protected by legal privilege. If you are not the intended recipient, disclosure, copying, distribution and use are prohibited; please notify us immediately and delete this email from your systems. To update your commercial electronic message preferences email dentonsinsightsca@dentons.com or visit our website. Please see dentons.com for Legal Notices.

Clarification of the transfer issue

The Sawridge Trustees seek to have the Court approve the transfer of assets which occurred in 1985 from the Sawridge Band Trust ("1982 Trust") to the Sawridge Band Inter Vivos Settlement ("1985 Trust") nunc pro tunc.

The approval of the transfer by the Court shall not be deemed to be an accounting of the assets of the 1982 trust that were transferred and shall not be deemed to be an accounting of the assets in the 1985 trust that existed upon settlement of the trust in 1985. The sole issue before the Court is to approve the transfer of assets from the 1982 trust to the 1985 trust such that there shall not be a challenge to the transfer from one trust to the other which occurred in 1985.

EXHIBIT: 6

QUESTIONING OF: Paul Bujold

Date: July 27, 2016

Allison Hawkins, CSR(A)

Doris M. McKenna

From: Marco S. Poretti <MPoretti@rmrf.com>
Sent: Tuesday, July 26, 2016 8:36 AM
To: Janet Hutchison (jhutchison@jlhlaw.ca); Karen Platten
Cc: 'doris.bonora@dentons.com'; Edward H. Molstad; E Meehan
(emeehan@supremeadvocacy.ca)
Subject: Sawridge Trust
Attachments: July 26 2016 ltr.pdf; Consent Order.pdf

Please see attached.



BARRISTERS SOLICITORS

**Reynolds
Mirth
Richards
& Farmer LLP**

Marco S. Poretti | Partner
3200 Manulife Place | 10180 - 101 Street | Edmonton AB Canada T5J 3W8
Direct: 780.497.3325 | Fax: 780.429.3044 | Toll Free: 1.800.661.7673
mporetti@rmrf.com | www.rmrf.com

This communication, including any attachments, is confidential and may be protected by solicitor/client privilege. This communication is intended only for the person or persons to whom it is addressed. Any review, retransmission, dissemination or other use of this information is strictly prohibited. If you have received this e-mail in error, please contact the sender and delete the e-mail. E-mail communications are vulnerable to interception by unauthorized parties. If you are the intended recipient and you do not wish for the sender to communicate with you by e-mail, please notify the sender at your earliest convenience. In the absence of such notification, your consent is assumed.



BARRISTERS SOLICITORS

Reynolds
Mirth
Richards
& Farmer LLP

WRITER'S E-MAIL

mporetti@rmrf.com

WRITER'S DIRECT PHONE

(780) 497-3325

YOUR FILE

OUR FILE

108511-001-MSP

July 26, 2016

Via Email

WITH PREJUDICE

Hutchison Law

#190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park, AB T8H 2A3

Attention: Janet L. Hutchison

McLennan Ross LLP

#600, 12220 Stony Plain Road
Edmonton, AB T5N 3Y4

Attention: Karen Platten, Q.C.

Dear Madams:

Re: Sawridge Trust

Q.B. Action No. 1103 14112

Thank you for your respective comments on our proposed form of order regarding the transfer issue. We have the following comments:

1. Hutchison Law July 22, 2016 letter:

- a. Paragraph 1 – we agree to change the preamble to reflect that the items previously identified in the July 15, 2016 draft order are representations from the Sawridge Trustees.
- b. Paragraph 2 – regarding our revisions to the preamble, and whether all of the assets that were intended to be settled into the 1982 Trust actually made it into the 1985 Trust, our concern is that our application deals with the transfer that took place into the 1985 Trust. We are not concerned with what took place in 1982. We are only concerned with the transfer that took place in 1985. Despite this, in an effort to reach agreement, we are prepared to include a statement in the preamble that we are not seeking an accounting of the assets transferred into the 1982 Trust.
- c. Paragraph 3 – you raise a concern about the removal of your proposed paragraph 2, which paragraph put forth the proposition that no aspect of the application seeks to deal with an accounting and that the Trustees will not rely on the order as having regularized or approved any matters relevant to an accounting. Our view is that this paragraph is unnecessary. The order already makes it clear that the Trustees are not seeking an accounting, the approval of the transfer is not deemed to be an accounting, and the order cannot be relied upon to prevent an accounting from taking place.

1656541.doc

2. McLennan Ross July 21, 2016 email:


- a. The documentation relating to the transfer of assets includes the documentation attached to Paul Bujold's affidavits, answers to undertakings of Paul Bujold Nos. 16 and 50, and documents produced in the Trustees' affidavit of records. We had understood that you had been provided with all of these materials.
- b. With respect to your concern that our application relates to an unstated issue, we have provided clarification of the transfer issue on a number of occasions. Further, the order itself now sets the parameters of the relief sought, and we believe that the proposed form of order, including the statements contained therein clarifying not only what is being sought but what is not being sought, removes any ambiguity on this issue.
- c. We agree that an explanation will have to be given to the Court with respect to the documentation that is available and why the order is necessary.

We attach hereto a revised form of order for your consideration. We have attempted to accommodate your respective concerns and are hopeful that this form of order is acceptable to you. The failure to come to an agreement on the transfer issue at this time would be unfortunate given that we appear to agree in principle on the substance of the order. A failure to reach agreement at this stage would result in the need for the application for advice and directions on the transfer issue to proceed, including all steps leading up to the application, including the questioning of Mr. Bujold that is scheduled for July 27, 2016. We trust that you agree that these unnecessary steps should be avoided at all costs. We look forward to hearing from you.

Yours truly,

REYNOLDS, MIRTH, RICHARDS & FARMER LLP

PER:



MARCO S. PORETTI
MSP/cam
Encl.

cc: Dentons LLP
Attention: Doris Bonora
(Via email with encl.)

Parlee McLaws LLP
Attention: Edward Molstad, Q.C.
(Via email with encl.)

Supreme Advocacy
Attention: Eugene Meehan
(Via email with encl.)

Clerk's Stamp:

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")

APPLICANTS ROLAND TWINN, CATHERINE TWINN, WALTER
FELIX TWIN, BERTHA L'HIRONDELLE and CLARA
MIDBO, as Trustees for the 1985 Sawridge Trust (the
"Sawridge Trustees")

DOCUMENT **CONSENT ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Doris C.E. Bonora Dentons Canada LLP 2900 Manulife Place 10180 – 101 Street Edmonton, AB T5J 3V5 Ph. (780) 423-7188 Fx. (780) 423-7276 File No.: 551860-1	Marco Poretti Reynolds Mirth Richards & Farmer LLP 3200, 10180 – 101 Street Edmonton, AB T5J 3W8 Ph. (780) 425-9510 Fx: (780) 429-3044 File No. 108511-MSP
--	--	---

DATE ON WHICH ORDER WAS PRONOUNCED: _____, 2016

LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, AB

NAME OF JUSTICE WHO MADE THIS ORDER: Mr. Justice D.R.G. Thomas

CONSENT ORDER

UPON HEARING representations from counsel for the Sawridge Trustees that the Sawridge Trustees have exhausted all reasonable options to obtain a complete documentary record regarding the transfer of assets from the 1982 Trust to the 1985 Trust; AND that the parties to this Consent Order have been given access to all documents regarding the transfer of assets from the 1982 Trust to the 1985 Trust that the Trustees have reviewed; AND that the Trustees are not

seeking an accounting of the assets transferred into the 1982 Trust; AND that the Trustees are not seeking an accounting of the assets transferred into the 1985 Trust; AND UPON noting that assets from the 1982 Trust were transferred into the 1985 Trust; AND UPON noting that little information is available regarding the transfer of assets from the 1982 Trust to the 1985 Trust;

IT IS HEREBY ORDERED THAT:

1. The transfer of assets which occurred in 1985 from the Sawridge Band Trust ("1982 Trust") to the Sawridge Band Inter Vivos Settlement ("1985 Trust") is approved *nunc pro tunc*. The approval of the transfer shall not be deemed to be an accounting of the assets of the 1982 Trust that were transferred and shall not be deemed to be an accounting of the assets in the 1985 Trust that existed upon settlement of the 1985 Trust.
2. Without limiting the generality of the foregoing, the Trustees' application and this Consent Order cannot be relied upon by the Trustees in the future as a basis to oppose or prevent a beneficiary from seeking an accounting from the 1985 Trust, including an accounting to determine the assets that were transferred into the 1985 Trust from the 1982 Trust.

The Honourable Mr. Justice D.R.G. Thomas

CONSENTED TO BY:

Dentons Canada LLP

Reynolds Mirth Richards & Farmer LLP

Doris Bonora
Counsel for Sawridge Trustees

Marco S. Poretti
Counsel for Sawridge Trustees

McLennan Ross LLP

Hutchison Law

Karen Platten, Q.C.
Counsel for Catherine Twinn as a Trustee
of the 1985 Sawridge Trust

Janet Hutchison
Counsel for The Office of the Public
Guardian and Trustee

EXHIBIT: 7
QUESTIONING OF: Paul Dyjold
Date: July 27, 2016
Allison Hawkins, CSR(A)

COURT FILE NUMBER 1103 14112

COURT: COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE: EDMONTON

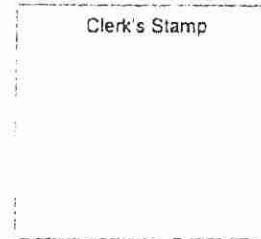
IN THE MATTER OF THE TRUSTEE ACT, RSA 2000, c T-8, AS AMENDED

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")

APPLICANTS: ROLAND TWINN, CATHERINE TWINN, WALTER FELIX TWIN, BERTHA L'HIRONDELLE and CLARA MIDBO, as Trustees for the 1985 Sawridge Trust (the "Sawridge Trustees")

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **Dentons Canada LLP**
2900, 10180 101 Street
Edmonton, AB T5J 3V5
Attention: Doris Bonora
Telephone: (780) 423-7188
Facsimile: (780) 423-7276
File No.: 551880 -1



**DATE ON WHICH ORDER WAS
PRONOUNCED:**

December 17, 2015

**LOCATION WHERE ORDER WAS
PRONOUNCED:**

Edmonton, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: Honourable Justice D.R.G. Thomas

UPON THE APPLICATION of the Office of the Public Guardian and Trustee of Alberta ("Public Trustee"), and Upon hearing from the counsel for: Sawridge First Nation, the Public Trustee, Sawridge Trustees and Catherine Twinn; and Upon the decision of The Honourable Mr. Justice Dennis R. Thomas dated December 17, 2015 (2015 ABQB 799);

IT IS HEREBY ORDERED THAT:

1. The Public Trustee's application for production of records/information from the Sawridge First Nation ("SFN") is denied.
2. Document production by SFN shall only be compelled pursuant to *Rule 5.13(1)* of the *Alberta Rules of Court*, Alta Reg 124/2010.
3. The Public Trustee shall not conduct an open-ended inquiry into the membership of the SFN and the historic disputes that relate to that subject.
4. The Public Trustee shall not conduct a general inquiry into potential conflicts of interest between SFN, its administration and the Sawridge Trustees.
5. The Public Trustee shall be limited to four tasks:
 - (a) Representing the interests of minor beneficiaries and potential minor beneficiaries so that they receive fair treatment (either direct or indirect) in the distribution of the assets of the 1985 Sawridge Trust; and
 - (b) Examining on behalf of the minor beneficiaries the manner in which the property was placed/settled in the Trust; and
 - (c) Identifying potential but not yet identified minors who are children of SFN members or membership candidates as these are potentially minor beneficiaries of the 1985 Sawridge Trust; and
 - (d) Supervising the distribution process itself.

6. The Public Trustee and the Sawridge Trustees are to immediately proceed to complete the first three tasks outlined in paragraph 5 above.
7. The Sawridge Trustees will submit a distribution arrangement by January 29, 2016.
8. The Public Trustee shall have until March 15, 2016 to prepare and serve an application, pursuant to *Rule 5.13(1)*, on SFN identifying specific documents it believes are relevant and material to test the fairness of the proposed distribution arrangement to minors who are children of beneficiaries or potential beneficiaries.
9. If no *Rule 5.13(1)* application is made in relation to the proposed distribution scheme, submissions on the distribution proposal shall be made by the Public Trustee and Sawridge Trustees at a case management meeting held before April 30, 2016.
10. The Public Trustee shall have until January 29, 2016 to prepare and serve an application, pursuant to *Rule 5.13(1)*, on SFN identifying specific documents for production which it believes are relevant and material to the issue of the assets settled in the 1985 Sawridge Trust.
11. If necessary, a case management meeting will be held before April 30, 2016 to decide any disputes concerning any *Rule 5.13(1)* application by the Public Trustee.
12. SFN shall provide the following to the Public Trustee by January 29, 2016:
 - (a) the names of individuals who have:
 - (i) made applications to join the SFN which are pending; and
 - (ii) had applications to join the SFN rejected and are subject to challenge;
 - (b) the contact information for those individuals where available.
13. The Public Trustee is instructed that if it requires any additional documents from the SFN to assist it in identifying the current and possible members of category 2, (Minors who are children of members of the SFN), the Public Trustee shall file a *Rule 5.13(1)* application by January 29th, 2016.
14. The SFN and the Sawridge Trustees shall have until March 15, 2016 to make written submissions in response to any application by the Public Trustee described in paragraph 13 above.
15. The Public Trustee shall not engage in collateral attacks on membership processes of the SFN. The Sawridge Trustees shall not engage in collateral attacks on SFN's membership processes.
16. The decision on costs in relation to the Public Trustee's production application is reserved until the Court evaluates any *Rule 5.13(1)* applications brought by the Public Trustee.

Honourable Justice D.R.G. Thomas

APPROVED AS TO FORM:

Reynolds, Mirth, Richards & Farmer LLP

Deacons Canada LLP

Per: _____

Marco Poretti, Counsel for the Sawridge
Trustees

Per: _____

Doris Bonora, Counsel for the Sawridge
Trustees

Hutchison Law

Per: _____

Janet L. Hutchison, Counsel for the Office the
Public Guardian and Trustee

Parlee McLaws LLP

Per: _____

Edward H. Molstad QC, Counsel for Sawridge
First Nation

Bryan & Co. LLP

Per: _____

Nancy E Cumming QC and Joseph Kueber QC , Counsel for Roland Twinn, Bertha
L'Hirondelle, Margaret Ward and E. Justin Twin

McLennan Ross LLP

Per: _____

Karen Platten QC and Crista Osualdini, Counsel for Catherine Twinn

APPROVED AS TO FORM:

Reynolds, Mirth, Richards & Farmer LLP

Per: _____

Marco Poretti, Counsel for the Sawridge
Trustees

Hutchison Law

Per: _____

Janet L. Hutchison, Counsel for the Office the
Public Guardian and Trustee

Dentons Canada LLP

Per: _____

Doris Bonpra, Counsel for the Sawridge
Trustees

Parlee McLaws LLP

Per: _____

Edward H. Molstad QC, Counsel for Sawridge
First Nation

Bryan & Co. LLP

Per: _____

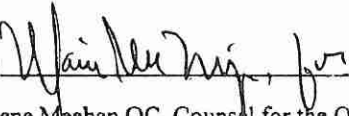
Nancy E Cumming QC and Joseph Kueber QC , Counsel for Roland Twinn, Bertha
L'Hirondelle, Margaret Ward and E. Justin Twin

McLennan Ross LLP

Per: _____

Karen Platten QC and Crista Osualdini, Counsel for Catherine Twinn

Supreme Advocacy LLP

Per: 

Eugene Meehan QC, Counsel for the Office the Public Guardian and Trustee

20761457_1|NATDOCS

Doris M. McKenna

From: Marco S. Poretti <MPoretti@rmrf.com>
Sent: Wednesday, July 27, 2016 9:10 AM
To: 'Janet Hutchison (jhutchison@jlhlaw.ca)'; 'Karen Platten'
Cc: 'doris.bonora@dentons.com'; Edward H. Molstad; 'E Meehan (emeehan@supremeadvocacy.ca)'
Subject: Sawridge Trust
Attachments: July 27 2016 ltr.pdf; Consent Order revised.pdf

Please see attached.



BARRISTERS SOLICITORS

**Reynolds
Mirth
Richards
& Farmer LLP**

Marco S. Poretti | Partner
3200 Manulife Place | 10180 - 101 Street | Edmonton AB Canada T5J 3W8
Direct: 780.497.3325 | Fax: 780.429.3044 | Toll Free: 1.800.661.7673
mporetti@rmrf.com | www.rmrf.com

This communication, including any attachments, is confidential and may be protected by solicitor/client privilege. This communication is intended only for the person or persons to whom it is addressed. Any review, retransmission, dissemination or other use of this information is strictly prohibited. If you have received this e-mail in error, please contact the sender and delete the e-mail. E-mail communications are vulnerable to interception by unauthorized parties. If you are the intended recipient and you do not wish for the sender to communicate with you by e-mail, please notify the sender at your earliest convenience. In the absence of such notification, your consent is assumed.



BARRISTERS SOLICITORS

Reynolds
Mirth
Richards
& Farmer LLP

WRITER'S E-MAIL

mporetti@rmrf.com

WRITER'S DIRECT PHONE

(780) 497-3325

YOUR FILE

OUR FILE

108511-001-MSP

July 27, 2016

Via Email

WITH PREJUDICE

Hutchison Law

#190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park, AB T8H 2A3

Attention: Janet L. Hutchison

McLennan Ross LLP

#600, 12220 Stony Plain Road
Edmonton, AB T5N 3Y4

Attention: Karen Platten, Q.C.

Dear Madams:

Re: Sawridge Trust
Q.B. Action No. 1103 14112

We acknowledge receipt of the letter from Hutchison Law dated July 26, 2016 regarding the transfer issue. We agree that Option No. 2 contained in the letter is satisfactory to us, and we attach hereto a revised form of Order reflecting the proposed change to paragraph 2.

We are requesting that Hutchison Law confirm the following:

1. That the attached form of Order is agreed to; and
2. That the OPGT will withdraw its *Rule 5.13* application relating to the transfer issue.

We would also ask that McLennan Ross LLP advise whether Catherine Twinn consents to the attached form of Order.

We look forward to hearing from you.

Yours truly,

REYNOLDS, MIRTH, RICHARDS & FARMER LLP

PER:

MARCO S. PORETTI
MSP/cam
Encl.

1657550.doc

cc: Dentons LLP
Attention: Doris Bonora
(Via email with encl.)

Parlee McLaws LLP
Attention: Edward Molstad, Q.C.
(Via email with encl.)

Supreme Advocacy
Attention: Eugene Meehan
(Via email with encl.)

1657550.doc

Clerk's Stamp:

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")
APPLICANTS ROLAND TWINN, CATHERINE TWINN, WALTER
FELIX TWIN, BERTHA L'HIRONDELLE and CLARA
MIDBO, as Trustees for the 1985 Sawridge Trust (the
"Sawridge Trustees")

DOCUMENT **CONSENT ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Doris C.E. Bonora Dentons Canada LLP 2900 Manulife Place 10180 – 101 Street Edmonton, AB T5J 3V5 Ph. (780) 423-7188 Fx. (780) 423-7276 File No.: 551860-1	Marco Poretti Reynolds Mirth Richards & Farmer LLP 3200, 10180 – 101 Street Edmonton, AB T5J 3W8 Ph. (780) 425-9510 Fx: (780) 429-3044 File No. 108511-MSP
--	--	---

DATE ON WHICH ORDER WAS PRONOUNCED: _____, 2016

LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, AB

NAME OF JUSTICE WHO MADE THIS ORDER: Mr. Justice D.R.G. Thomas

CONSENT ORDER

UPON HEARING representations from counsel for the Sawridge Trustees that the Sawridge Trustees have exhausted all reasonable options to obtain a complete documentary record regarding the transfer of assets from the 1982 Trust to the 1985 Trust; AND that the parties to this Consent Order have been given access to all documents regarding the transfer of assets from the 1982 Trust to the 1985 Trust that the Trustees have reviewed; AND that the Trustees are not

seeking an accounting of the assets transferred into the 1982 Trust; AND that the Trustees are not seeking an accounting of the assets transferred into the 1985 Trust; AND UPON noting that assets from the 1982 Trust were transferred into the 1985 Trust; AND UPON noting that little information is available regarding the transfer of assets from the 1982 Trust to the 1985 Trust;

IT IS HEREBY ORDERED THAT:

1. The transfer of assets which occurred in 1985 from the Sawridge Band Trust ("1982 Trust") to the Sawridge Band Inter Vivos Settlement ("1985 Trust") is approved *nunc pro tunc*. The approval of the transfer shall not be deemed to be an accounting of the assets of the 1982 Trust that were transferred and shall not be deemed to be an accounting of the assets in the 1985 Trust that existed upon settlement of the 1985 Trust.
2. Without limiting the generality of the foregoing, the Trustees' application and this Consent Order cannot be relied upon by the Trustees in the future as a basis to oppose or prevent a beneficiary from seeking an accounting from the 1985 Trust, including an accounting to determine the assets that were transferred into the 1985 Trust from the 1982 Trust or an accounting of the assets transferred into the 1982 Trust.

The Honourable Mr. Justice D.R.G. Thomas

CONSENTED TO BY:

Dentons Canada LLP

Reynolds Mirth Richards & Farmer LLP

Doris Bonora
Counsel for Sawridge Trustees

Marco S. Poretti
Counsel for Sawridge Trustees

McLennan Ross LLP

Hutchison Law

Karen Platten, Q.C.
Counsel for Catherine Twinn as a Trustee
of the 1985 Sawridge Trust

Janet Hutchison
Counsel for The Office of the Public
Guardian and Trustee