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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")**

APPLICANTS

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

APPLICANT in this Application

**OFFICE OF THE PUBLIC TRUSTEE OF
ALBERTA**

RESPONDENT in this Application

THE SAWRIDGE FIRST NATION

DOCUMENT

**APPLICATION BY THE OFFICE OF THE
PUBLIC TRUSTEE OF ALBERTA FOR
PRODUCTION UNDER RULE 5.13.**

**ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT**

**HUTCHISON LAW
#190 Broadway Business Square
130 Broadway Boulevard
Sherwood Park, AB T8A 3X1**

**Attention: Janet L. Hutchison
Telephone: (780) 417-7871
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Email: jhutchison@jlhlaw.ca
File: 51433 JLH**

NOTICE TO THE RESPONDENT, SAWRIDGE FIRST NATION

This application is made against you. You are a respondent.

You have the right to state your side of this matter before the Justice.

To do so, you must be in Court when the application is heard as shown below:

Date: To be set by the Case Management Justice, but in any event prior to April 30, 2016 as directed in the Reasons for Judgment dated December 17, 2015

Time: To be set by the Case Management Justice

Where: Law Courts Building
1A Sir Winston Churchill Square,
Edmonton, Alberta T5J 3Y2

Before: Justice D.R.G. Thomas in Chambers

Go to the end of this document to see what else you can do and when you must do it.

Remedy claimed or sought includes:

1. In accordance with para. 61 of Justice Thomas' December 17, 2015 judgment, all documents in the possession of Sawridge First Nation that may assist in identifying current and possible minors who are children of members of the Sawridge First Nation. Information already provided by Paul Bujold on or about May 27, 2014 in response to Undertaking 31 excluded.
2. The OPGT bases its request, including its assessment of whether SFN may have control of the requested records and their relevance and materiality, on the information available in the proceeding as of today's date. It must be noted that the OPGT has not had the benefit of questioning the Trustee's witnesses, or of having leave to make additional production requests, in relation to the SFN's response dated January 18, 2016.

Grounds for making this application:

1. This application is made under direction of the Court as set out in the December 17, 2015 Reasons for Judgment. The Public Guardian and Trustee is filing its application under revised terms from the December 17, 2015 judgment, which is under appeal.
2. The Public Guardian and Trustee is also filing this application despite the fact that the Parties have also provided the Court with a signed consent order for an extension of time, to file the within application.

3. The OPGT reserves the right to file an amended application once further Questioning occurs and upon the result of Appeals 1603-0029AC and 1603-0026AC.

Material or evidence to be relied upon:

1. All relevant materials filed to date in Court of Queen's Bench Action 1103 14112, including all transcripts, affidavits, excerpts of evidence and answers to undertakings;
2. Such further and other materials as Counsel may advise and this Honourable Court may allow.

Applicable rules:

1. *Alberta Rules of Court*, Alta Reg 124/2010, Rule 5.13;
2. Such further and other rules as Counsel may advise.

Applicable Acts and regulation:

1. *Public Trustee Act*, SA 2004, c P-44.1
2. Such further and other Acts and regulation as Counsel may advise.

Any irregularity complained of or objection relied on:

N/A

How the application is proposed to be heard or considered:

In chambers before Justice Thomas, the case management justice assigned to this file.

WARNING
If you do not come to Court either in person or by your lawyer, the Court may give the applicant what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on that date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.