



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,
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,
WALTER FELIX TWIN,
BERTHA L'HIRONDELLE, and
CLARA MIDBO, as trustees for the 1985 Sawridge
Trust

DOCUMENT

**APPLICATION TO DEAL WITH
CONFLICT WITH CATHERINE TWINN**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

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

Attention: Doris C.E. Bonora
Telephone: (780) 423-7100
Fax: (780) 423-7276
File No: 551860-001-DCEB

Reynolds Mirth Richards & Farmer LLP
3200, 10180 101 Street
Edmonton AB T5J 3W8

Attention: Marco S. Poretti
Telephone: (780) 497-3325
Fax: (780) 429-3044

NOTICE TO RESPONDENT

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

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

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

Date	July 29, 2015
Time	10:00 AM
Where	Law Courts Building, Edmonton Alberta
Before Whom	Justice D. Thomas

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

Remedy claimed or sought:

1. Advice and direction with respect to resolving the conflict that has developed in relation to the Catherine Twinn, one of the trustees of the Sawridge Band Inter Vivos Settlement dated April 15, 1985 (the "1985 Sawridge Trust") who has now expressed opposition to the endeavour of the 1985 Sawridge Trust in the within action to vary the definition of beneficiary under the 1985 Sawridge Trust.
2. Advice and direction with respect to implementing reasonable measures such that counsel for the Sawridge Trustees will no longer represent Catherine Twinn as part of the collective group of the trustees of the 1985 Sawridge Trust in this action.
3. Such further and other relief as this Honourable Court deems just and appropriate.

Grounds for making this application:

4. Dentons Canada LLP and Reynolds Mirth Richards & Farmer LLP represent the collective group of the trustees of the 1985 Sawridge Trust which include Catherine Twinn.
5. Catherine Twinn, along with the four other trustees of the 1985 Sawridge Trust, approved commencing an action in respect of the proposed variation to the definition of beneficiary under the 1985 Sawridge Trust which is the substance of this action.
6. On June 26, 2015 McLennan Ross LLP on behalf of Catherine Twinn in her capacity as a trustee of the 1985 Sawridge Trust filed a brief in opposition to the proposed variation to the beneficiary definition.
7. Given the conflict that has arisen, counsel for the 1985 Sawridge Trust cannot continue to act on behalf of Catherine Twinn.
8. Counsel have written to request that the relief sought be implemented.

Material or evidence to be relied on:

9. Pleadings and other materials filed in this action.
10. Such further and other materials or evidence as counsel may advise and this Honourable Court may permit.

Applicable rules:

11. Alberta Rules of Court.
12. Such further and other rules as counsel may advise and this Honourable Court may permit.

Applicable Acts and regulations:

13. *Trustee Act*, RSA 2000, c. T-8, and regulations and amendments thereto.
14. Law Society of Alberta *Code of Conduct*.
15. Such further and other acts and regulations as counsel may advise and this Honourable Court may permit.

How the application is proposed to be heard or considered:

16. In person, with all parties present.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) 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 the date and at the time shown at the beginning of this 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.