

IN THE COURT OF APPEAL OF ALBERTA

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”)**

BETWEEN:

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

- and -

PUBLIC TRUSTEE OF ALBERTA
Respondent

- and -

**SAWRIDGE FIRST NATION,
MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT, ALINE
ELIZABETH HUZAR, JUNE MARTHA KOLOSKY and MAURICE STONEY**
Interested Parties

JUDGMENT

Heard before the Honourable Court:

The Honourable Mr. Justice Peter Costigan,
The Honourable Mr. Justice Clifton O’Brien,
The Honourable Mr. Justice J.D. Bruce McDonald,
On Wednesday June 5, 2013, Edmonton, Alberta.
And pronounced on June 19, 2013.

UPON THE HEARING of this appeal on Wednesday, June 5, 2013, of a Decision by the Honourable Mr. Justice D.R.G. Thomas dated June 12, 2012, and filed on September 20, 2012 and upon hearing representations from Fred S. Kozak, Q.C. Counsel for the Appellants and upon hearing representations from Janet L. Hutchison of Chamberlain Hutchison, counsel for the Respondent, and upon the judgment of this Honourable Court having been rendered on Wednesday, June 19, 2013:

IT IS ORDERED AND ADJUGED THAT:

1. The within appeal is dismissed.

Entered on August 28, 2013
at Edmonton, Alberta

for: " R. COCHRAN "
Registrar, Court of Appeal

Approved as to form and content:

REYNOLDS MIRTH RICHARDS
& FARMER LLP

Per: F. Kozak
FRED S. KOZAK, Q.C.
Counsel for the Appellants

CHAMBERLAIN HUTCHISON

Per: J. Hutchison
JANET L. HUTCHISON
Counsel for the Respondent

S. Saurhoff

Registrar, Court of Appeal of Alberta



Appeal Number: 1203 0230-AC

IN THE COURT OF APPEAL OF ALBERTA

BETWEEN:

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

Appellants

- and -

PUBLIC TRUSTEE OF ALBERTA

Respondent

- and -

SAWRIDGE FIRST NATION,
MINISTER OF INDIAN AFFAIRS AND
NORTHERN DEVELOPMENT, ALINE
ELIZABETH HUZAR, JUNE MARTHA
KOLOSKY and MAURICE STONEY

Interested Parties



JUDGMENT

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