



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
DOCUMENT	<u>AFFIDAVIT OF KARL JOESPH MANDEL to be acknowledge as a potential beneficiary of the 1985 Sawridge Trust</u>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Reynolds, Mirth, Richards & Farmer LLP 3200 Manulife Place 10180 - 101 Street Edmonton, AB T5J 3W8 Attention: Doris C.E BONORA Telephone: (780) 425-9510 Fax: (780) 429-3044
	File Number: 108511-001-DCEB

AFFIDAVIT OF KARL JOESPH MANDEL

Sworn on September 30, 2011

I, Karl Joesph MANDEL of the Village of Boyle in the Province of Alberta swear and say that:

ORIGINAL

1. I am recognized as a Status Indian with the Canadian Federal Government under Bill C-31. I am also a decedent of the Sawridge Band No. 454, now known as the Sawridge First Nation (hereinafter referred to as the "Sawridge First Nation" or "Nation"). I am not registered as a member of the Sawridge First Nation.
2. As a decedent of the Sawridge First Nation, this entitles me to the matter brought forward involving the Sawridge Band Intervivos Settlement created in 1985 (hereinafter called the "1985 Trust").
3. This matter involving the 1985 Trust has been brought forward to the Court by the five trustees of the 1985 Trust: Bertha L'HIRONDELLE, Clara MIDBO, Catherine TWINN, Roland C. TWINN and Walter Felix TWIN (hereinafter referred to as the "Trustees").
4. The Trustees are seeking the opinion, advice and direction of the Court respecting the administration and management of the property held under the 1985 Trust (hereinafter referred to as the "Advice and Direction Application" as they have expressed concerns:
 - a. Regarding the definition of "Beneficiaries" contained in the 1985 Trust:
 - b. Regarding the transfer of assets into the 1985 Trust.
5. I make this affidavit in support that as a decedent of the Sawridge First Nation that I am a potential beneficiary to the 1985 Trust.
6. I am thereby also entitled to provide my opinion, advice and direction for the definition of "Beneficiaries" contained in the 1985 Trust and the transfer of assets into the 1985 Trust brought forward by the Trustees in the Advice and Direction Application.

Background

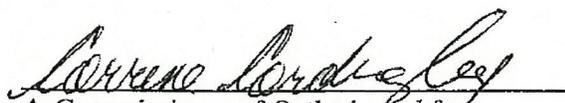
7. My mother, Rita Rose MANDEL nee POTSKIN (deceased) (hereinafter referred to as "Rita MANDEL") was born on February 5, 1951 into the Sawridge First Nation.
8. Rita MANDEL was born to Mary Virginia POTSKIN nee DESJARLAIS (hereinafter referred to as "Virginia POTSKIN") and Albert N. POTSKIN (deceased) (hereinafter referred to as "Albert POTSKIN")
9. Virginia POTSKIN is a current member of the Sawridge First Nation.
10. Albert POTSKIN, to my knowledge, was a member of the Sawridge First Nation.
11. Rita MANDEL married Karl Heinz MANDEL (hereinafter referred to as "Karl MANDEL Sr.") on June 2, 1970 in the City of Calgary in the Province of Alberta. Karl MANDEL Sr. is a non-Indian.

12. The Indian Act of 1876 emphasized male lineage and if an Indian woman married a non-Indian, she lost her status. Rita MANDEL was enfranchised and thereby lost her status as an Indian.
13. I was born on June 3, 1974 but due to the those provisions, that were later deemed discriminatory, I was born without status as an Indian. This also meant that I did not have membership into the Sawridge First Nation.
14. In 1985, amendments were introduced to the Indian Act that were intended to remove discrimination, restore status and membership rights with Bill C-31, *An Act to amend the Indian Act*. This allowed Rita MANDEL and myself, who was also enfranchised as a result of her marriage to Karl MANDEL Sr., to be reinstated as an Indian.
15. Unfortunately Rita MANDEL was not re-instated as a member of the Sawridge First Nation. She and several others took this issue to the Courts which eventually resulted in a ruling in her favour. In the Fall of 2007, she was reinstated with membership to the Sawridge First Nation.

Conclusion

16. Rita MANDEL was a member that was enfranchised due to discriminatory legislated provisions. She was re-instated with her Indian status under Bill C-31. This eventually led to her reinstatement into the Sawridge First Nation.
17. Rita MANDEL was my biological mother and through her lineage bestowed to me, I am a potential beneficiary to the 1985 Trust and therefore should be included in the Advice and Direction Application presented before the Court regarding the definition of the beneficiaries and the transfer of assets with the 1985 Trust.

SWORN before me at Boyle
in the Province of Alberta,
on the 30th day of September, 2011


A Commissioner of Oaths in and for
the Province of Alberta


Karl Joseph MANDEL

CORRINE CORDINGLEY
COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA
EXPIRY: NOVEMBER 28, 2013