


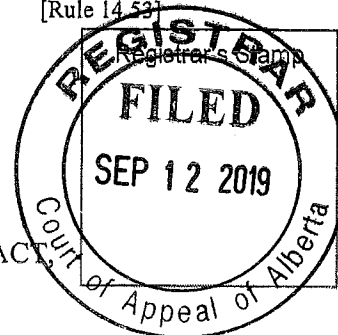
I hereby certify this to be a true copy.


For Deputy Registrar
Court of Appeal of Alberta

COURT OF APPEAL OF ALBERTA

Form AP-3
[Rule 14.53]

COURT OF APPEAL FILE NO.: 1703-0239AC
TRIAL COURT FILE NUMBER: 1103 14112
REGISTRY OFFICE: Edmonton



IN THE MATTER OF THE TRUSTEE ACT,
RSA 2000, C T-8, AS AMENDED,
and
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: MAURICE FELIX STONEY AND HIS
BROTHERS AND SISTERS
STATUS ON APPEAL: Interested Party

RESPONDENTS (ORIGINAL
APPLICANTS): ROLAND TWINN, CATHERINE TWINN,
WALTER FELIX TWIN, BERTHA
L'HIRONDELLE AND CLARA MIDBO, AS
TRUSTEES FOR THE 1985 SAWRIDGE
TRUST (the "Sawridge Trustees")
STATUS ON APPEAL: Respondent

RESPONDENT: PUBLIC TRUSTEE OF ALBERTA
STATUS ON APPEAL: Not a party to the Appeal

INTERVENOR: SAWRIDGE FIRST NATION
STATUS ON APPEAL: Respondent

INTERESTED PARTY: PRISCILLA KENNEDY, Counsel for Maurice
Felix Stoney and His Brothers and Sisters
STATUS ON APPEAL: Appellant

DOCUMENT: JUDGMENT

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

Field LLP
2500, 10175 - 101 Street
Edmonton, Alberta T5J OH3
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File: 65063-1

DATE ON WHICH JUDGMENT WAS RENDERED: June 13, 2019

LOCATION OF HEARING: Edmonton

BY: Mr. Justice B.K. O'Ferrall
Madam Justice F.L. Schutz
Madam Justice J. Strekaf

UPON THE APPEAL OF Priscilla Kennedy of the decision of Mr. Justice D.R.G. Thomas issued August 31, 2017 (referred to as *Sawridge #7*) finding Ms. Kennedy personally liable on a joint and several basis with her client Maurice Stoney for the solicitor and own client indemnity costs awarded in favour of the Respondents Sawridge Trustees and the Sawridge First Nation by Justice Thomas in his decision issued July 12, 2017 (referred to as *Sawridge #6*);

AND UPON HAVING READ the Facts and other materials filed on behalf of the Appellant and the Respondents herein, and hearing from Counsel for the Appellant and the Respondents;

IT IS HEREBY ORDERED THAT:


1. The appeal is allowed;
2. The decision in *Sawridge #7* holding the Appellant, Priscilla Kennedy, personally liable for the award of solicitor and own client indemnity costs in *Sawridge #6* is set aside;
3. The Appellant shall have her costs of this appeal and in the court below (*Sawridge #7*) based on column 3 of Schedule C of the *Alberta Rules of Court*, including second counsel fee, for which the Respondents shall be jointly and severally liable.



Registrar, Court of Appeal

APPROVED AS BEING THE ORDER ISSUED:

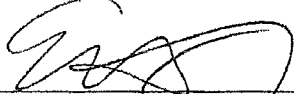
DENTONS CANADA LLP



Doris Bonora

Counsel for the Respondents, Roland
Twinn, Catherine Twinn, Walter Felix
Twin, Bertha L'Hirondelle and Clara
Midbo, as Trustees for the 1985 Sawridge
Trust

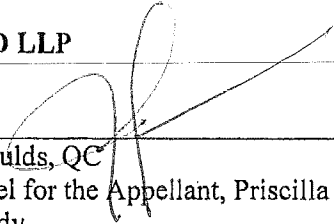
PARLEE McLAWS LLP



E.H. Molstad, QC

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Nation

FIELD LLP



P.J. Faulds, QC

Counsel for the Appellant, Priscilla
Kennedy