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for Clerk of the Court

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, 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 ROLAND TWINN, MARGARET WARD, TRACEY
SCARLETT, EVERETT JUSTIN TWIN AND DAVID
MAJESKI, as Trustees for the 1985 Sawridge Trust
("Sawridge Trustees")

DOCUMENT CONSENT ORDER (PRIVILEGE)

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT Parlee McLaws LLP
Barristers and Solicitors
1700 Enbridge Centre
10175-101 Street
Edmonton, AB T5J 0H3
Attention: Edward H. Molstad, Q.C.
Telephone: 780-423-8506
Facsimile: 780-423-2870

Granted by 20, February, 2020 by Justice S.T. Henderson in Edmonton, AB.
File No.: 64203-7/EHM

UPON the Application filed September 13, 2019, by the Sawridge Trustees for determination and direction of the effect of the consent order made by Mr. Justice D.R.G. Thomas pronounced on August 24, 2016 and upon the hearing on the Jurisdictional Question ordered by the Honourable Mr. Justice J.T. Henderson pursuant to a Consent Order on December 18, 2018 (the "Applications");

And whereas Catherine Twinn has sworn a second Supplemental Affidavit of Records ("SAOR") dated December 18, 2019 which contains records including, but not limited to, documents that the Sawridge First Nation ("Sawridge") alleges to contain legal advice provided to Sawridge and that Catherine Twinn alleges are trust records and came from the file maintained by the Sawridge Trustees and are not privileged records of Sawridge;

And whereas Sawridge does not object to Catherine Twinn producing the SAOR so long as this Order is granted;

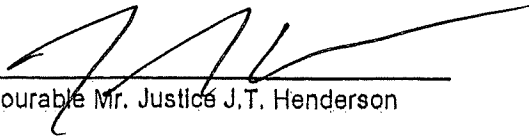
And whereas Sawridge does not have the intention to waive solicitor-client privilege, to the extent same exists, over any further information or communications to which solicitor-client privilege would otherwise attach and that relates to the subject matter of any of the contents of the SAOR as that term is defined below;

And whereas the purpose of this Order is to confirm that waiver of solicitor-client privilege in relation to any further information or communications to which solicitor-client privilege attaches that relate to the subject matter of any of the contents of the SAOR ("**Subject Matter Waiver**") has not occurred for the purposes of the Applications;

IT IS HEREBY ORDERED:

1. Any waiver of solicitor-client privilege by Sawridge in respect of consenting to the production of the contents of the SAOR is expressly declared to be limited to the purposes of the Applications only. For clarity, the terms of this order shall not apply to relieve or rectify any loss or waiver of privilege by Sawridge that arises from matters other than the service of the SAOR.
2. For the purpose of the Applications only, any waiver of solicitor-client privilege in respect of the contents of the SAOR by Sawridge is expressly declared to be limited to the contents of the SAOR, and it is further declared that Subject Matter Waiver has not occurred in relation to any issue raised in those documents.
3. Further to paragraph 2 and for the purpose of the Applications only, nothing in the SAOR can be used to compel Sawridge to produce further documents in respect of legal advice received or answer questions in respect of legal advice received by Sawridge on the basis that Subject Matter Waiver has occurred.

4. For the purposes of the Applications only, if the Sawridge Trustees, the OPGT, Catherine Twinn, Shelby Twinn or any beneficiary of the 1985 Trust who may choose to participate in the manner permitted by this Court, seek to file or otherwise admit as evidence any document other than those covered by this Order to which a claim of solicitor-client privilege may be made by Sawridge, the admissibility of such document and/or the terms for protecting the privilege of such document may be determined on a case-by-case basis, either by agreement of the parties and interveners, or by the direction of this Court.



The Honourable Mr. Justice J.T. Henderson

CONSENTED TO BY:

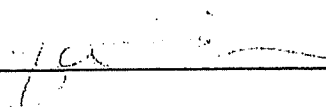
DENTONS CANADA LLP


Doris Bonora/Michael Sestito
Counsel for the Sawridge Trustees

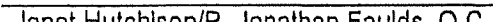
McLENNAN ROSS LLP


Crista Osualdini/David Risling
Counsel for Catherine Twinn as Trustee for the 1985 Trust

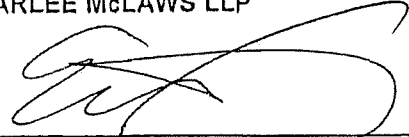
SHELBY TWINN


Shelby Twinn
Self-Represented

HUTCHISON LAW


Janet Hutchison/P. Jonathan Faulds, Q.C.
Counsel for the OPGT

PARLEE McLAWS LLP

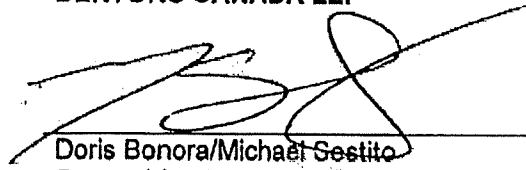

Edward H. Molstad, Q.C.
Counsel for the Sawridge First Nation

4. For the purposes of the Applications only, if the Sawridge Trustees, the OPGT, Catherine Twinn, Shelby Twinn or any beneficiary of the 1985 Trust who may choose to participate in the manner permitted by this Court, seek to file or otherwise admit as evidence any document other than those covered by this Order to which a claim of solicitor-client privilege may be made by Sawridge, the admissibility of such document and/or the terms for protecting the privilege of such document may be determined on a case-by-case basis, either by agreement of the parties and interveners, or by the direction of this Court.

The Honourable Mr. Justice J.T. Henderson

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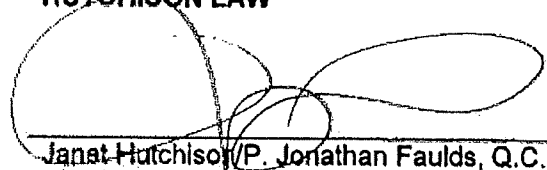
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