

FIAT

Let the within Judgment  
be filed despite non-compliance with  
the following Rules / Practice Directions:  
>3 months since pronouncement

*Bobbi J McDevitt*

Bobbi J McDevitt

Case Management Officer

Dated: May 18, 2023

**COURT OF APPEAL OF ALBERTA**

**COURT OF APPEAL** 2203-0043AC and 2203-0045AC  
**FILE NUMBER:**

Registrar's Stamp



**TRIAL COURT FILE** 1101 14112 and 1103 14112  
**NUMBER:**

**REGISTRY OFFICE:** EDMONTON

**APPLICANT:** ROLAND TWINN, MARGARET WARD, TRACEY SCARLETT,  
EVERETT JUSTIN TWINN AND DAVID MAJESKI, as  
Trustees for the 1985 Sawridge Trust

**STATUS ON** RESPONDENTS  
**APPEAL:**

**RESPONDENT:** THE OFFICE OF THE PUBLIC TRUSTEE OF ALBERTA

**STATUS ON** APPELLANT (2203-0043AC / 1101 14112)  
**APPEAL:** RESPONDENT (2203-0045AC / 1103 14112)

**RESPONDENT:** CATHERINE TWINN

**STATUS ON** RESPONDENT (2203-0043AC / 1101 14112)  
**APPEAL:** APPELLANT (2203-0045AC / 1103 14112)

**INTERVENERS:** SAWRIDGE FIRST NATION AND SHELBY TWINN

**STATUS ON** INTERVENERS  
**APPEAL:**

**DOCUMENT:** **JUDGMENT**

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

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**Counsel for the Appellant**

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**Attn: P. Jonathan Faulds, K.C.**  
**Counsel for the Appellant**

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**DATE ON WHICH JUDGMENT WAS  
PRONOUNCED:**

NOVEMBER 14, 2022

**LOCATION OF HEARING:**

Edmonton, Alberta

**NAMES OF JUDGES WHO GRANTED  
THIS JUDGMENT:**

*(list each judge in order of seniority)*

Justice F. F. Slatter  
Justice F. L. Schutz  
Justice K. P. Feehan

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UPON THE HEARING OF THESE CONCURRENT APPEALS ON November 3, 2022, appeals from the Order of the Honourable Justice J. T. Henderson, granted on February 4, 2022; AND HAVING READ factums and materials of the Appellants, Respondents and Interveners herein; AND UPON HAVING HEARD what was said by counsel for the Appellants, counsel for the Respondents and counsel for the Intervener Sawridge First Nation; AND UPON BEING ADVISED the Intervener Shelby Twinn was unable to attend the hearing and relied upon her factum and materials AND UPON noting the consent of Counsel;

**IT IS ORDERED THAT:**

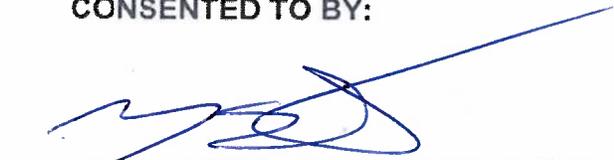
1. The appeals are allowed; and
2. The Order of Henderson J. under appeal is set aside.



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For Registrar, Court of Appeal

CONSENTED TO BY:



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Doris Bonora K.C., Dentons LLP  
Counsel for the Respondent, the 1985  
Sawridge Trustees



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Ellery Sopko, Parlee McLaws LLP  
Counsel for the Intervener, Sawridge First  
Nation

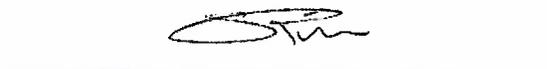
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Janet Hutchison, Hutchison Law  
Counsel for the Office of the Public Guardian  
And Trustee



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Crista Osualdini, McLennan Ross LLP  
Counsel for the Appellant, Catherine Twinn



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Shelby Twinn, self-represented  
Intervener

**CONSENTED TO BY:**

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Doris Bonora K.C., Dentons LLP  
Counsel for the Respondent, the 1985  
Sawridge Trustees

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Ellery Sopka, Parlee McLaws LLP  
Counsel for the Intervener, Sawridge First  
Nation



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Janet Hutchison, Hutchison Law  
Counsel for the Office of the Public Guardian  
And Trustee

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Crista Osualdini, McLennan Ross LLP  
Counsel for the Appellant, Catherine Twinn

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Shelby Twinn, self-represented  
Intervener