

June 6, 2023

File No.: 551860-1

DELIVERED VIA EMAIL

Court of King's Bench of Alberta
Law Courts Building
1A Sir Winston Churchill Square
Edmonton, AB T5J 0R2

Attention: Chief Justice Moreau

Dear Madam:

Re: Action No. 1103 14112 - 1985 Sawridge Trust

We write further to the letter sent to you by our friends on June 6, 2023. We write on behalf of the Trustees of the 1985 Sawridge Trust (the "**Sawridge Trustees**").

As outlined in that letter, our friends shared a copy of the letter that they intended to send to you. While they are accurate in representing that the Sawridge Trustees take no position with respect to their request, we are obliged to remind the Court of the considerable efforts that have been expended on this matter for well over a decade of litigation. The 1985 Sawridge Trust is required to indemnify the legal fees of the Office of the Public Trustee and Guardian in addition to incurring its own legal fees in the litigation. Accordingly, and so as to not unnecessarily dissipate the assets of the 1985 Trust, the Sawridge Trustees are highly motivated in any step that will progress the litigation in a timely matter to a conclusion. We wish to remind the Court that the Trustees commenced the action for advice and direction in 2011 and the beneficiaries have not been able to receive benefits during all this time and will not be able to receive benefits until the litigation is concluded.

Mr. Justice Henderson spent a good deal of time familiarizing himself with the record. Understandably, the appointment of a new case management judge would also take time away from the progression of the litigation. Accordingly, we ask that the court take into account this concern when deciding whether or not to appoint a new case management judge.

The Sawridge Trustees will accept a decision of this Court to appoint a new case management judge. However, we would be similarly satisfied with proceeding with Mr. Justice Henderson. Notwithstanding the recent Court of Appeal decision, the Sawridge Trustees are confident in His Lordship's ability to carry on in his current role as case management judge.

We concur with our friends that the parties all wish to proceed as expeditiously as possible with a view to resolution.

Yours truly,

Dentons Canada LLP



Michael S. Sestito / Doris Bonora, KC
Partner

MSS/mk

cc: Field Law
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Attention: Paul Bujold (via email)

Court of King's Bench of Alberta
Attention: Justice Henderson