



MCLENNAN **ROSS**

LEGAL COUNSEL

Our File Reference: 20243395

June 8, 2026

Crista Osualdini

crista.osualdini@mross.com

Direct 780.482.9239

Sara Wood, Assistant

sara.wood@mross.com

Direct 780.482.9323

Fax 780.733.9723

PLEASE REPLY TO EDMONTON OFFICE

SENT BY E-MAIL

Sent via Email

Bobbi.McDevitt@albertacourts.ca

Court of Appeal of Alberta
Main Floor, Law Courts Building
1A Sir Winston Churchill Sq NW,
Edmonton, AB T5J 0R2

Attention: Bobbi Jo McDevitt, LL.B.

Re: **Sawridge Trusts:
Court of Appeal File Number 2503-0193AC**

We are counsel to the Sawridge First Nation ("SFN"), an intervenor on the above noted appeal scheduled for hearing on June 11, 2026. We are writing to respond to the Panel's request for submissions in relation to the recent request for participatory rights by Dr. Potskin.

We are on the eve of the appeal. Our client does not wish to see this matter adjourned. The SFN is represented by firms out of Edmonton and Quebec. Quebec counsel will be in the process of transit to Edmonton and/or arrived by the time the panel issues a decision on Dr. Potskin's participation. As such, the cost to our client of an adjournment would be significant and would result in thrown away costs for travel, along with preparation time that would need to be duplicated -- we estimate thrown away costs to amount to at least \$20,000.00.

Dr. Potskin is one of the Sawridge Trustees, the collective group of trustees is a respondent on the appeal. We understand that Dr. Potskin is in the process of filing an application for

Edmonton

600 McLennan Ross Building
12220 Stony Plain Road
Edmonton, AB T5N 3Y4
Telephone 780 482 9200
Facsimile 780 482 9100
Toll-free 800 567 9200

Calgary

1900 Eau Claire Tower
600 - 3rd Avenue SW
Calgary, AB T2P 0G5
Telephone 403 543 9120
Facsimile 403 543 9150
Toll-free 888 543 9120

Yellowknife

301 Nunasi Building
5109 - 48th Street
Yellowknife, NT X1A 1N5
Telephone 867 766 7677
Facsimile 867 766 7678
Toll-free 888 836 6684

what seems to be standing at the appeal and which seeks permission for him to rely on a personal affidavit and factum at the scheduled appeal. These materials have been shared with the parties to the appeal and are appended to this correspondence for clarity of reference. Despite the late application of Dr. Potskin for independent standing as a Sawridge Trustee, and on the basis that his proposed involvement relies upon the materials shared with the parties, as appended to this correspondence, in the interest of allowing the appeal to proceed as scheduled, our client would not take issue with Dr. Potskin relying on these materials and being allotted speaking time, in the discretion of the panel.

We alert the Court that Dr. Potskin's proposed application advises of a returnable date in morning Chambers, on the same date and time as the scheduled appeal. If this application is filed and scheduled in morning Chambers, this will require counsel to potentially be in different courtrooms at the same time. We alert the Court so the sitting Chambers Justice is aware that the application affects a concurrently scheduled appeal hearing.

Yours truly,

A handwritten signature in blue ink, appearing to read 'COsw', followed by a horizontal line extending to the right.

CRISTA OSUALDINI

CCO/sw

Encl.

20243395 - 4152-8595-1081 v.1

COURT OF APPEAL OF ALBERTA

Form AP-3
[Rule 14.53]

COURT OF APPEAL FILE NUMBER: 2503-0193AC
TRIAL COURT FILE NUMBER: 1103 14112
REGISTRY OFFICE: Edmonton
PLAINTIFF/APPLICANT: Dr. Jonathon Potskin, Trustee
STATUS ON APPEAL: Respondent
STATUS ON APPLICATION: Applicant
DEFENDANT/RESPONDENT: Roland Twinn et al. (See Schedule A: Service List)
STATUS ON APPEAL: Respondent
STATUS ON APPLICATION: Applicant



DOCUMENT: **APPLICATION OF
Dr. Jonathon Potskin**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT: Dr. Jonathon Potskin
Self Represented
P.O. Box 972
Slave Lake, Alberta
Tel: 236-334-8232
TOG 2A0

and

CONTACT INFORMATION OF ALL OTHER PARTIES: Schedule A: Service List

NOTICE TO RESPONDENT(S): The Respondents to this application are the parties listed in the attached Schedule A: Service List (incorporating the counsel of record identified in the December 4, 2025, letter from the Case Management Officer). Please see the attached Schedule A for the status and contact information for each party.

WARNING

If you do not come to Court on the date and time shown below either in person or by your lawyer, the Court may give the applicant what it wants in your absence. You will be bound by any order that the Court makes. If you intend to rely on other evidence or a memorandum in support of your position when the application is heard or considered, you must file and serve those documents in compliance with the Rules. (Rule 14.41 and 14.43)

NOTICE TO RESPONDENT(S):

You have the right to state your side of this matter before the Court.

To do so, you must be in court when the application is heard as shown below:

DATE: June 11, 2026

TIME: 10:00 AM

WHERE: Law Courts Building, 1A Sir Winston Churchill Square, Edmonton, Alberta

BEFORE: single judge of the court (Rule 14.37)
 panel of the court (Rule 14.38)

Nature of Application and Relief Sought:

1. The Applicant, a Trustee of the Sawridge Trust, seeks an Order setting aside the declaration of the Honourable Justice J.S. Little in the Threshold Decision, a Declaration that the 1985 Sawridge Trust modifications are structurally invalid as they offend public policy, and an Order that the administration of the Trust revert to its foundational 1982 fixed class of beneficiaries.
2. The Case Management Judge committed an error of law and mixed fact and law by typecasting the 1985 Sawridge Trust framework as a standard "Private Trust," thereby shielding it from public policy scrutiny.
3. The 1985 modifications were explicitly instituted as a temporary, reactive measure to address legislative uncertainty regarding Bill C-31, rather than a permanent administrative foundation.
4. The Respondents have formally admitted that the "number one objective" of the 1985 modifications was to intentionally exclude specific lineage lines, rendering the operational framework structurally invalid and discriminatory.
5. The 1985 framework has resulted in a 40-year administrative deadlock with zero distributions, failing the foundational trust requirement for certainty of objects.
6. The original trust assets were settled in 1982, establishing an uncorrupted, fixed class of beneficiaries that represents the only legally sound baseline for equitable trust administration.
7. An Order setting aside the declaration of the Honourable Justice J.S. Little regarding the Threshold Question.

8. A Declaration that the 1985 Sawridge Trust modifications are structurally invalid as they offend public policy and breach foundational fiduciary duties.
9. A Declaration that the trust administration must revert to its original, legally sound foundation: the 1982 fixed class of beneficiaries.
10. An Order directing the parties to return to Case Management solely to implement the administration of the trust under the 1982 baseline.
11. Full solicitor/client costs to be awarded to the Applicant from the trust assets.

Grounds for making this application:

12. Error in Law: The Case Management Judge committed an error of law and mixed fact and law by typecasting the 1985 Sawridge Trust framework as a standard "Private Trust," thereby shielding it from public policy scrutiny.
13. Procedural Illegitimacy: The 1985 modifications were enacted without adherence to the formal procedural requirements stipulated in the original Trust instrument, as demonstrated by the Procedural Order of Justice D.R.G. Thomas (Exhibit A to the Affidavit of Jonathon Potskin).
14. Historical Administrative Inconsistencies: The historical administrative inconsistencies, as detailed in the Factum of the Appellants in Action 1703-0193AC (Exhibit B to the Affidavit of Jonathon Potskin), establish that the 1985 modifications deviated from the Trust's original intent.
15. Discriminatory Framework: The Respondents have formally admitted that the "number one objective" of the 1985 modifications was to intentionally exclude specific lineage lines, rendering the operational framework structurally invalid and discriminatory.
16. Administrative Deadlock: The 1985 framework has resulted in a 40-year administrative deadlock with zero distributions, failing the foundational trust requirement for certainty of objects.

17. **Baseline Validity:** The original trust assets were settled in 1982, establishing an uncorrupted, fixed class of beneficiaries that represents the only legally sound baseline for equitable trust administration.

18. **Necessity of Reversion:** A reversion to the 1982 baseline is necessary to ensure the equitable administration of the Trust and to uphold the rights of the foundational beneficiaries.

Material or evidence to be relied on:

19. The Affidavit of Jonathon Potskin, sworn May 31, 2026, and the bookmarked exhibits attached thereto, including the Respondents' Factum and the Appellant's Factum filed in this Appeal.

Applicable Acts, regulations and rules:

20. **Civil Appeal Rules:** This appeal is brought pursuant to Part 14 of the Alberta Rules of Court, specifically Rule 14.38 (regarding the appeal of a decision of a Case Management Judge) and Rule 14.41 (concerning the powers of the Court on appeal).

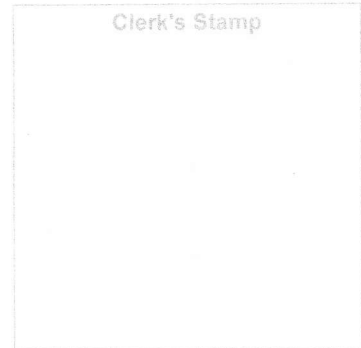
21. **Statutory Authority:** The administration of the Trust is subject to the Trustee Act, RSA 2000, c T-8 [as amended], and the application seeks to ensure compliance with the fiduciary obligations therein.

22. **Inherent Jurisdiction:** This Honourable Court possesses the inherent jurisdiction to intervene where a lower court's Threshold Decision results in a fundamental miscarriage of justice, particularly where the equitable and transparent administration of a trust—and the rights of fixed-class beneficiaries—are at stake.

SCHEDULE A: SERVICE LIST

COURT OF APPEAL OF ALBERTA APPEAL NUMBER: 2503-0193AC

Party / Counsel Name	Law Firm	Email Address
M.S. Sestito	Dentons Canada LLP	michael.sestito@dentons.com
D.D. Risling, KC	McLennan Ross LLP	david.risling@mross.com
C.C. Osualdini	McLennan Ross LLP	crista.osualdini@mross.com
D. Schulze	Dionne Schulze	dschulze@dionneschulze.ca
N. Dodd	Dionne Schulze	ndodd@dionneschulze.ca
D.C. Bonora, KC	KPMG Law LLP	dorisbonora@kpmg.ca
P.J. Faulds, KC	Field LLP	jfaulds@fieldlaw.com
G.A. Harding, KC	Field LLP	gharding@fieldlaw.com
J.L. Hutchison	Hutchison Law	jhutchison@jlhlaw.ca



COURT FILE NO. 2503-0193AC
Trial Court File Number: 1103-14112

COURT Court of King's Bench of Alberta

JUDICIAL CENTRE Edmonton

PLAINTIFF(S) **CATHERINE TWINN (Appellant)**

DEFENDANT(S) **ROLAND TWINN et al. (Respondents)**

DOCUMENT **Affidavit**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
Dr. Jonathon Potskin
P.O. Box 972
Slave Lake, Alberta
T0G 2A0
Tel: 236-334-8232

AFFIDAVIT OF

Dr. Jonathon Potskin

Sworn (or Affirmed) on

May 31, 2026

I, Dr. Jonathon Potskin

of Alberta, SWEAR/AFFIRM AND SAY THAT:

1. I am a Trustee of the Sawridge Trust and have personal knowledge of the matters hereinafter deposed to, except where stated to be based on information and belief, in which case I believe them to be true.
2. I am familiar with the history of the Sawridge Trust, specifically the transition from the 1982 fixed class of beneficiaries to the 1985 modifications, as evidenced by the historical court records and trust instruments
3. I make this Affidavit in support of the Application filed by me on June 1, 2026, regarding Appeal No. 2503-0193AC.
4. I have personal knowledge that the Trustees have failed to provide the promised transparency regarding the Sawridge Trust assets for over 17 years. Attached hereto and marked as Exhibit 'C' is a true copy of the formal correspondence dated March 2009 from Judie Bopp, which explicitly promised a 'Package to Beneficiaries' within six months. To date, this promise has never been honored, representing a recurring pattern of non-disclosure that undermines the integrity of the current Trust administration.
5. The Respondents maintain that the 1985 modifications were properly authorized and legally effective. Attached hereto and marked as Exhibit 'B' is a true copy of the Factum of the Respondents (Sawridge Trustees) dated January 8, 2026. Specifically, at paragraph 45, the Respondents admit that the primary objective of the 1985 modification was the intentional exclusion of beneficiaries. I contend this admission, when weighed against the 1982 Trust deed, confirms the modification was an ultra vires act, as it fundamentally altered the 'certainty of objects' required by trust law.
6. Contrary to that assertion, my review of the trust records indicates that the 1985 modifications were implemented without the requisite notice to or consensus from the original 1982 beneficiary class.
7. Attached hereto as Exhibit "A" is a copy of the Procedural Order, Justice D.R.G. Thomas, 1985 Trust, which demonstrates the lack of formal procedural compliance at the time of the trust's alteration.
8. The 1985 modifications fundamentally altered the trust's structure, which I believe is contrary to the original intent of the 1982 Settlor and has resulted in an inequitable distribution of trust assets.
9. Attached hereto as Exhibit 'B' is a true copy of the Factum of the Appellants in Action 1703-0193AC (Sawridge Trustees). This document outlines the historical inconsistencies in the trust's administration, which support the necessity of a reversion to the 1982 baseline for the trust's operations
10. I am seeking an Order declaring the 1985 modifications invalid and directing a reversion to the foundational 1982 fixed class of beneficiaries to ensure the equitable administration of the Trust.
11. Attached hereto as Exhibit 'C' is a true copy of a letter from Judie Bopp, dated March 2009. This correspondence formally outlines the commitment to a transparency package concerning the administration of the Trust, which remains unfulfilled and is central to the issues of equitable administration in this application.
12. Attached hereto as Exhibit 'D' is a true copy of an email correspondence from Paul Bujold, dated May 14, 2019, regarding the 'Sawridge Trusts - Information Package for Beneficiaries.' This document is relevant to this application as it evidences the Trust's formal acknowledgement of my beneficiary status and the administrative procedures in place at that time.
13. Attached hereto as Exhibit 'F' is a true copy of an email correspondence received from Mr. Paul Bujold, Trusts' Administrator/CEO of the Sawridge Trusts, on May 6, 2026. In this correspondence, Mr. Bujold requests that I complete and submit the Beneficiary Application

Form or the 1985 Trust, noting the Trust's requirement that all beneficiaries adhere to this formal application process to avoid claims of preferential treatment. This correspondence is relevant to this application as it evidences the Trust's ongoing effort to finalize the transition away from the 1982 baseline by compelling acceptance of the 1985 framework. The 1982 Beneficiaries are their own class of the original deed.

- 14. The completed and executed Beneficiary Application Form for the 1985 Trust is attached hereto as Exhibit G.
- 15. I make this Affidavit in good faith and for no improper purpose.

SWORN (or affirmed) ANDREW MEA
 on A Commissioner for Oaths
 in and for Alberta
 at By Virtue of Municipal Council Alberta
 My Commission expires October 15, 2029

(Commissioner for Oaths in and for the Province of Alberta)

Jonathon Podskin

(Print Name and Expiry of Lawyer/Student-at-Law/
Commissioner or JP)

[Signature]
 May 31st 2020

(Signature)

[Signature]
 (Print Name)

INDEX OF EXHIBITS

Court File Number: 2503-0193AC (Ref: 1103-14112)

Exhibit	Document Description
A	1982 Vested Beneficiary Baseline Registry
B	Factum of the Appellants (1703-0193AC)
C	Letter from Judie Bopp (March 2009)
D	Email from Paul Bujold (May 14, 2019)
E	Email from Paul Bujold (May 6, 2026)
F	Beneficiary Application Form (Blank/Template)

EXHIBIT A

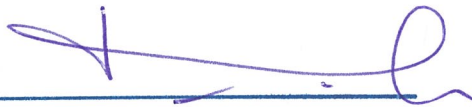
COURT OF APPEAL OF ALBERTA COURT FILE NUMBER: 2503-0193AC (Ref: 1103-14112)

EXHIBIT A


This is **Exhibit "A"** referred to in the Affidavit of Dr. Jonathon Potskin, sworn this **31st day of May, 2026**.

A Commissioner for Oaths in and for Alberta

1982 Vested Beneficiary Baseline Registry



ANDREW ACHOBA
A Commissioner for Oaths
in and for Alberta
By Virtue of Municipal Council
My Commission expires **October 15, 2029**

	Clerk's stamp:
COURT FILE NUMBER	1103-14112
COURT OF QUEEN'S BENCH OF ALBERTA JUDICIAL CENTRE	EDMONTON
	<p>IN THE MATTER OF THE TRUSTEE ACT, R.S.A. 2000, c. T-8, AS AMENDED</p> <p>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")</p>
APPLICANTS	ROLAND TWINN, CATHERINE TWINN, WALTER FELIX TWIN, BERTHA L'HIRONDELLE, and CLARA MIDBO, as Trustees for the 1985 Sawridge Trust
DOCUMENT	Order
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	<p>Attention: Doris C.E. Bonora Reynolds, Mirth, Richards & Farmer LLP 3200 Manulife Place 10180 - 101 Street Edmonton, AB T5J 3W8</p> <p>Telephone: (780) 425-9510 Fax: (780) 429-3044 File No: 108511-001-DCEB</p>

Date on which Order Pronounced: August 31, 2011

Name of Justice who made this Order: D. R. C. Thomas

UPON the application of the Trustees of the 1985 Sawridge Trust (the "Applicants" or the "Trustees"); AND UPON hearing read the Affidavit of Paul Bujold, IT IS HEREBY ORDERED AND DECLARED as follows:

Application

1. An application shall be brought by the Trustees of the 1985 Sawridge Trust for the opinion, advice and direction of the Court respecting the administration and management of the property held under the 1985 Sawridge Trust (hereinafter referred to as the "Advice and Direction Application"). The Advice and Direction Application shall be brought:
 - a. To seek direction with respect to the definition of "Beneficiaries" contained in the 1985 Sawridge Trust, and if necessary to vary the 1985 Sawridge Trust to clarify the definition of "Beneficiaries".
 - b. To seek direction with respect to the transfer of assets to the 1985 Sawridge Trust.

Notice

2. The Trustees shall send notice of the Advice and Direction Application to the following persons, in the manner set forth in this Order:
 - a. The Sawridge First Nation;
 - b. All of the registered members of the Sawridge First Nation;
 - c. All persons known to be beneficiaries of the 1985 Sawridge Trust and all former members of the Sawridge First Nation who are known to be excluded by the definition of "Beneficiaries" in the Sawridge Trust created on August 15, 1986, but who would now qualify to apply to be members of the Sawridge First Nation;
 - d. All persons known to have been beneficiaries of the Sawridge Band Trust created on April 15, 1982 (hereinafter referred to as the "1982 Sawridge Trust"), including any person who would have qualified as a beneficiary subsequent to April 15, 1985;
 - e. All of the individuals who have applied for membership in the Sawridge First Nation;
 - f. All of the individuals who have responded to the newspaper advertisements placed by the Applicants claiming to be a beneficiary of the 1985 Sawridge Trust;
 - g. Any other individuals who the Applicants may have reason to believe are potential beneficiaries of the 1985 Sawridge Trust;
 - h. The Office of the Public Trustee of Alberta (hereinafter referred to as the "Public Trustee") in respect of any minor beneficiaries or potential minor beneficiaries; and
 - i. The Minister of Aboriginal Affairs and Northern Development Canada (hereinafter referred to as the "Minister") in respect, *inter alia*, of all those

persons who are Status Indians and who are deemed to be affiliated with the Sawridge First Nation by the Minister.

(those persons mentioned in Paragraph 2 (a) – (i) shall collectively be referred to as the “Beneficiaries and Potential Beneficiaries”)

3. Notice of the Advice and Direction Application on any person shall not be used by that person to show any connection or entitlement to rights under the 1982 Sawridge Trust or the 1985 Sawridge Trust, nor to entitle a person to being held to be a beneficiary of the 1982 Sawridge Trust or the 1985 Sawridge Trust, nor to determine or help to determine that a person should be admitted as a member of the Sawridge First Nation. Notice of the Advice and Direction Application is deemed only to be notice that a person may have a right to be a beneficiary of the 1982 Sawridge Trust or the 1985 Sawridge Trust and that the person must determine his or her own entitlement and pursue such entitlement.

Dates and Timelines for Advice and Direction Application

4. The Trustees shall, within 10 business days of the day this Order is made, provide notice of the Advice and Direction Application to the Beneficiaries and Potential Beneficiaries in the following manner:
 - a. Make this Order available by posting this Order on the website located at www.sawridgetrusts.ca (hereinafter referred to as the “Website”);
 - b. Send a letter by registered mail to the Beneficiaries and Potential Beneficiaries for which the Applicants have a mailing address and by email to the Beneficiaries and Potential Beneficiaries for which the Applicants have an email address, advising them of the Advice and Direction Application and advising them of this Order and of the ability to access this Order on the Website (hereinafter referred to as the “Notice Letter”). The Notice Letter shall also provide information on how to access court documents on the Website;
 - c. Take out an advertisement in the local newspapers published in the Town of Slave Lake and the Town of High Prairie, setting out the same information that is contained in the Notice Letter; and
 - d. Make a copy of the Notice Letter available by posting it on the Website.
5. The Trustees shall send the Notice Letter by registered mail and email no later than September 7, 2011.
6. Any person who is interested in participating in the Advice and Direction Application shall file any affidavit upon which they intend to rely no later than September 30, 2011.
7. Any questioning on affidavits filed with respect to the Advice and Direction Application shall be completed no later than October 21, 2011.
8. The legal argument of the Applicants shall be filed no later than November 11, 2011.

9. The legal argument of any other person shall be filed no later than December 2, 2011.
10. Any replies by the Applicant shall be filed no later than December 16, 2011.
11. The Advice and Direction Application shall be heard January 12, 2012 in Special Chambers.

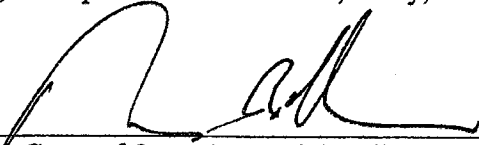
Further Notice and Service Provisions

12. Except as otherwise provided for in this Order, the Beneficiaries and Potential Beneficiaries need not be served with any document filed with the Court in regard to the Advice and Direction Application, including any pleading, notice of motion, affidavit, exhibit or written legal argument.
13. The Applicants shall post any document that they file with the Court in regard to the Advice and Direction Application, including any pleading, notice of motion, affidavit, exhibit or written legal argument, on the Website within 5 business days after the day on which the document is filed.
14. The Beneficiaries and Potential Beneficiaries shall serve the Applicants with any document that they file with the Court in regard to the Advice and Direction Application, including any pleading, notice of motion, affidavit, exhibit or written legal argument, which service shall be completed by the relevant filing deadline, if any, contained in this Order.
15. The Applicants shall post all of the documents the Applicants are served with in this matter on the Website within 5 business days after the day on which they were served.
16. The Applicants shall make all written communications to the Beneficiaries and Potential Beneficiaries publicly available by posting all such communications on the Website within 5 business days after the day on which the communication is sent.
17. The Beneficiaries and Potential Beneficiaries are entitled to download any documents posted on the Website by the Applicants pursuant to the terms of this Order.
18. Notwithstanding any other provision in this Order, the following persons shall be served with all documents filed with the Court in regard to the Advice and Direction Application, including any pleading, notice of motion, affidavit, exhibit or written legal argument:
 - a. Legal counsel for the Applicants;
 - b. Legal counsel for any individual Trustee;
 - c. Legal counsel for any Beneficiaries and Potential Beneficiaries;
 - d. The Sawridge First Nation;
 - e. The Public Trustee; and

f. The Minister.

Variation or Amendment of this Order

19. Any interested person, including the Applicants, may apply to this Court to vary or amend this Order on not less than 7 days' notice to those persons identified in paragraph 17 of this Order, as well as any other person or persons likely to be affected by the order sought or upon such other notice, if any, as this Court may order.



Justice of the Court of Queen's Bench in Alberta



809772; August 31, 2011

EXHIBIT B

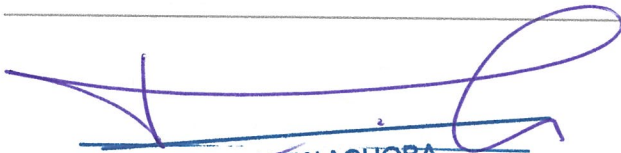
COURT OF APPEAL OF ALBERTA COURT FILE NUMBER: 2503-0193AC (Ref: 1103-14112)

EXHIBIT B

This is **Exhibit "B"** referred to in the Affidavit of Dr. Jonathon Potskin, sworn this **31st day of May, 2026**.

A Commissioner for Oaths in and for Alberta

Factum of the Appellants (1703-0193AC)



ANDREW ACHOBA
A Commissioner for Oaths
in and for Alberta
By Virtue of Municipal Council
My Commission expires **October 15, 2029**

The maximum time limit for
e-filing documents is 45 minutes.

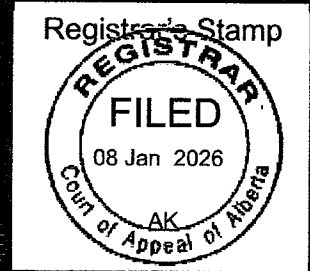
COURT OF APPEAL OF ALBERTA

FORMABLE
RUE-187

COURT OF APPEAL FILE NUMBER: 2503 019840

TRIAL COURT FILE NUMBER: 1031412

REGISTRY OFFICE: EDMONTON



IN THE MATTER OF THE
TRUSTEE ACT R.S.A. 2000, c.
T-8, AS AMENDED, AND IN THE
MATTER OF THE SARTRIDGE
BAND, A NATION, FIRST OF
SETTLEMENT, CREATED BY
CHIEF JUSTICE PATRICK
TUNNEY OF THE SUPREME
COURT OF CANADA, 2015 FC 100,
NOTICE OF SARTRIDGE FIRST
NATION APRIL 18, 2025 (the
"2025 Sartridge Trust")

APPLICANTS

ROLAND TRINA, TRICE,
SCARLETT, ROLAN TRINA,
COMATHON, POTER, AND
BONNE BLAISE, ss. 7(3)(66)
of the 2025 Sartridge Trust (the
"Sartridge Trust")

STATUS ON APPEAL:

Respondent

RESPONDENT

CATHERINE TRINA

STATUS ON APPEAL:

Appellant

RESPONDENT

OFFICE OF THE PUBLIC
GUARDIAN AND TRUSTEE

STATUS ON APPEAL:

Respondent

DOCUMENT:

FACTUM

Appeal from the Decision of
The Honourable Mr. Justice J.S. Little
Dated the 27th day of September, 2025

FACTUM OF THE RESPONDENT, THE SAWIDGE TRUSTEES

CONTACT INFORMATION AND
ADDRESS FOR SERVICE OF
PARTY FILING THIS
DOCUMENT

DENTONS CANADA LLP
2500 Stinger Tower
10210 - 106 Avenue NW
Edmonton, AB T5C 0K4
Attn: Michael Gaglio
Phone: 780-426-7300
Email: michael.gaglio@dentons.com
Co-Counsel for the Respondents, the
Sawidge Trustees

WPMG LAW LLP
10175 - 101 Street NW, #1200
Edmonton, AB T5C 0H3
Attn: Doree Bonola, K.C.
Phone: 780-801-4827
Email: doree@wpmglaw.com
Co-Counsel for the Respondents, the
Sawidge Trustees

CONTACT INFORMATION FOR
ALL OTHER PARTIES

CATHERINE J. THAIN (Appellant - Self-
Represented)
PO Box 460
Slave Lake, AB T0G 2A0
Phone: 780-886-232
Email: cjthain@shaw.ca

MCCLENNAN ROSS LLP
800 - 12200 84th Field Road
Edmonton, AB T5N 3Y4
Attn: Crista Osgood & David Ross, K.C.
Phone: 780-482-2289
Email: crista.osgood@mcclellanross.com
david.ross@mcclellanross.com
Counsel for the Interveners, Sawidge First
Nation

DIOKWE SCHOLDES SAAC

607 Place d'Armes, Bureau 602

Montreal, QC H2Y 2W8

Attn: David Scholtes & Alvinas Doss

Phone: 514-342-0740 X 218

Email: dscholtes@diokwescholdes.com

www.diokwescholdes.com

Counsel for the Intervenor, Savings First
Faction

HUTCHINSON LAW

180 Broadway, Business Square

Shawmut Park, AB T8E 2A6

Attn: Janet L. Hutchinson

Phone: 781-447-7677

Email: janet@hutchinsonlaw.com

Co-Counsel for the Respondent, the Office of
the Public Guardian and Trustee

FIELD LLP

2800, 2073-101 Street NW

Edmonton, AB T2E 0E1

Attn: P. Jonathan Fields, A.C. & Greg Harding,
A.C.

Phone: 781-428-7826

Fax: 780-428-8826

Email: jfields@fieldllp.com

www.fieldllp.com

Co-Counsel for the Respondent, the Office of
the Public Guardian and Trustee

CONTENTS

I.	INTRODUCTION	1
II.	FACTS.....	1
III.	GROUNDS OF APPEAL	3
IV.	STANDARD OF REVIEW.....	4
V.	LAW AND ARGUMENT.....	4
	A. The Duties and Role of a Trustee	5
	i. Trustees Owe Fiduciary Duties to Beneficiaries and are Duty Bound to Distribute	5
	ii. The Trustee Act – Statutory Duty to Distribute.....	5
	B. Discrimination in the Beneficiary Definition Does Not Prevent Distribution.....	6
	C. Purpose Trusts	10
	D. Limitations – Collateral Attacks are Statute Barred.....	12
VI.	RELIEF SOUGHT.....	12
	TABLE OF AUTHORITIES.....	13

I. INTRODUCTION

1. This appeal focuses on a narrow question of whether or not distributions can be made pursuant to a valid private trust which defines beneficiaries in a discriminatory manner.
2. On June 28, 2024, the Trustees of the 1985 Sawridge Band Inter Vivos Settlement (the “Trustees” and the “1985 Trust” respectively) filed a multi-part application for advice and direction (the “Full Application”).¹ In the Full Application, the Trustees identified paragraph 1(b) (the “Threshold Question”) as a preliminary issue for the Court to decide before addressing the rest of the application.

Affirming that notwithstanding that the definition of “Beneficiary” set out under the 1985 Sawridge Trust is discriminatory, and includes certain non-members of the Sawridge Nation, the Sawridge Trustees may proceed to make distributions to the Beneficiaries of the 1985 Sawridge Trust, including to non-members of the SFN who qualify as Beneficiaries of the 1985 Sawridge Trust.²

3. On November 27, 2024, Case Management Justice Little ordered the Threshold Question would be heard first.³ Sawridge First Nation (“SFN”) was granted intervenor status for the Threshold Question and extensive materials were exchanged.⁴
4. Justice Little released his decision (the “Threshold Decision”), which was appropriately focused on the narrow question before him.⁵ He found that, while the definition of a beneficiary under the 1985 Trust was discriminatory, the Trustees were authorized to make distributions. For the reasons outlined below, Justice Little’s decision was accurate in law and ought to be upheld such that the Trustees can proceed to the next part of the Full Application.⁶

II. FACTS

5. The history of the 1985 Trust was recently canvassed by this Court in *Twinn v Alberta*.⁷ By way of brief background, the 1985 Trust was established on April 15, 1985 by a

¹ Record of Appeal – Case Management Application (Final Application).

² Record of Appeal – Case Management Application (Final Application) at 05.

³ Record of Appeal – November 27, 2024 Case Management Order at 08-10.

⁴ Record of Appeal – Case Management Order, Justice JS Little, re: Intervenor at 11.

⁵ Record of Appeal – Memorandum of Decision, from Case Management Justice Little at 19.

⁶ Record of Appeal – Memorandum of Decision, from Case Management Justice Little at 27, para 45.

⁷ *Twinn v Alberta* (Office of the Public Trustee), 2022 ABCA 368 (the “Transfer Decision”).

declaration of trust.⁸ SFN created a trust in 1982, and the assets in the 1982 trust were transferred to the 1985 Trust.⁹ This transfer was recently upheld by this Court.¹⁰ The creation of the 1985 Trust was approved by Chief and Council and with the consent of the members of SFN, including the Appellant, Catherine Twinn, as per her signature on the resolution.¹¹ In anticipation of Bill C-31, which included proposed amendments to the *Indian Act* (the “*Act*”) intended to make the *Act* compliant with the *Charter*, SFN was concerned Bill C-31 would increase membership in SFN and thereby dilute the assets of the then-members of SFN.¹² Accordingly, in 1985, SFN established the 1985 Trust, transferred assets from the 1982 Trust into the 1985 Trust, and in the 1985 Trust froze the definition of beneficiary to the *Act* in 1982.

6. “Beneficiaries” of the 1985 Trust were defined as persons who qualify as members of the SFN pursuant to the provisions of the *Act* as such provisions existed pre Bill C-31 (the “*Old Act*”).¹³ By cementing the definition of Beneficiary in the *Old Act*, the beneficiary class would not be impacted by Bill C-31 and the assets not diluted.
7. By crystallizing a past version of the *Act* in defining “Beneficiary”, the discrimination the amendments to the *Act* were intended to eliminate, remained in the 1985 Trust. Justice Thomas made an order that the parties were committed to upholding the 1985 Trust and declared the 1985 Trust’s definition of beneficiaries to be discriminatory.¹⁴
8. The 1985 Trust Deed prohibits amendment to the definition of Beneficiaries, and confers broad discretionary powers upon the Trustees of the 1985 Trust to distribute assets to its Beneficiaries.¹⁵

⁸ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibit G (Declaration of the 1985 Trust) [“**1985 Trust Deed**”] [Extracts of Key Evidence of the Sawridge Trustees (“EKE”) page 71].

⁹ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibit H (Resolution of Trustees) [EKE page 82].

¹⁰ Transfer Decision at para 53.

¹¹ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibits H-J [EKE page 82-96].

¹² Excerpts of Questioning of Paul Bujold on July 27, 2016 at 23:3-8 [EKE page 111]. See also Transfer Decision at paras 4-5.

¹³ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibit G (Declaration of the 1985 Trust) at para 2(a) [EKE page 72].

¹⁴ Consent Order (Issue of Discrimination) granted by Thomas, J, January 19, 2018 [EKE page 115]. Note Justice Thomas stated in the Order that it was not to be construed as a determination as to the Trust’s invalidity.

¹⁵ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibit G (Declaration of the 1985 Trust) at paras 6, 8, and 11 [EKE pages 76-79].

IV. STANDARD OF REVIEW

13. The Trustees generally agree with the standard of review set out by the OPGT.

V. LAW AND ARGUMENT

14. Justice Little made no error of law in concluding that the Trustees could make distributions to beneficiaries.

15. The validity of the 1985 Trust is not an issue before the Court as part of the Threshold Question. Nevertheless, the Trustees submit that the 1985 Trust clearly is a valid trust, as it satisfies the three certainties:²¹

a. The Settlor (Chief Walter Twinn) had a clear intention to create a trust. This is not in dispute. This is evident in the 1985 Trust Deed and in the proceedings of the 1985 Trust for the last 40 years.

b. The subject matter of the 1985 Trust is its significant assets. This was found to be the case by this Court in the Transfer Decision.²²

c. Beneficiaries are clearly identifiable. The Court, the parties and the intervenor have all been able to identify Beneficiaries, despite allegations to the contrary made by the Appellant in her Factum.²³

16. The question before this Court is whether the Trustees may finally carry out their fiduciary duty to distribute to Beneficiaries. The Trustees have found no law preventing distributions in a trust which defines beneficiaries in a discriminatory manner and, apart from urging this Court to create new law regarding First Nations Trusts, the Appellant and Intervenor present no legal basis to overturn the Threshold Decision.

²¹ *Knight v Knight* (1840) 49 ER 58 at 63 [Tab 2].

²² Transfer Decision.

²³ See, for example, Extracts of Key Evidence of the Appellant – Affidavit of Paul Bujold at 065, paras 39–43, 50, 55, 64, 80, 153, and 184; Evidence of the Appellant – Affidavit of Catherine Twinn at 075, paras 17, 19, 20, 29(e), 29(h), and Exhibit B; Evidence of the Appellant – Affidavit of Isaac Twinn at 139, paras 5, 9, and 10; Extracts of Key Evidence of the Appellant – Trustee “Offer” Application and filed June 12, 2015 at 413; Extracts of Key Evidence of the Appellant – Written Brief of the Public Trustee at 469.

A. The Duties and Role of a Trustee

i. Trustees Owe Fiduciary Duties to Beneficiaries and are Duty Bound to Distribute

17. A trustee is appointed to manage assets for the benefit of beneficiaries and adhere to the terms of the trust deed.²⁴ The role of a trustee comes with significant responsibilities and obligations, collectively referred to as fiduciary duties.²⁵ These duties are designed to ensure that the trustee, who holds legal title, acts in the best interests of the beneficiaries, who have a personal right to uphold the trust and hold the trustees to their fiduciary duties which include the duty to distribute.²⁶

18. Trustees have a duty to administer a trust for the benefit of beneficiaries, in accordance with the purpose of the trust and the law.²⁷ The duty to follow the trust deed ensures that the trustees' actions align with the settlor's intentions.²⁸ Trustees must adhere to the provisions laid out in the trust deed regarding asset distribution, thereby distributing the property in accordance with the settlor's intentions and instructions as set out in the trust deed.

19. Thus, absent any law prohibiting distribution where the trust contains a discriminatory definition for its beneficiaries, which does not appear to exist, the answer to the Threshold Question must be "yes".

ii. The Trustee Act – Statutory Duty to Distribute

20. Alberta's *Trustee Act* aims to clarify trust laws, make trust management more efficient, and limit the need for court involvement in trust disputes.²⁹ Trustees are legally bound

²⁴ *Merril Petroleums Ltd v Seaboard Oil Co* [1957] AJ No 29 at para 83 (SC) 22 WWR 529 [Tab 3], aff'd [1958] AJ No 10 (CA), 25 WWR 236 [Tab 4] ("*Merril Petroleums*"). See also Donovan W.M. Waters, Mark R. Gillen, and Lionel D. Smith, *Waters' Law of Trusts in Canada*, 5th Ed (Thomson Reuters: Westlaw Edge) ("*Waters' Law of Trusts*") at 18.0 [Tab 5].

²⁵ *Waters' Law of Trusts* at 18.II [Tab 5].

²⁶ *Waters' Law of Trusts* at 18.III [Tab 5].

²⁷ *Merril Petroleums* at para 83 [Tabs 3-4].

²⁸ *Martin v Banting* [2001] OJ No 510 at para 29 (SC), 37 ETR (2d), aff'd [2002] OJ No 381 (CA), 46 ETR (2d) 93 [Tab 6].

²⁹ *Trustee Act*, SA 2022, c T-8.1.

to act in the best interests of the beneficiaries, adhering to the terms outlined in the trust document.³⁰ The *Trustee Act* applies to the Trustees' current and future actions.

21. The *Trustee Act* outlines several statutory obligations that deal with distributions. Trustees are bound to consider the needs of the Beneficiaries,³¹ Trustees must follow the instructions and provisions laid out in the trust document and the *Trustee Act*, including specific guidelines regarding asset distribution,³² Trustees are legally bound to act in the best interests of the Beneficiaries, adhering to the terms outlined in the trust document,³³ and Trustees need to execute distributions in accordance with the settlor's instructions and desires.³⁴

22. Trustees are statutorily bound to distribute to beneficiaries. Thus, it appears, based on the governing statute, that the answer to the Threshold Question must be "yes".

B. Discrimination in the Beneficiary Definition Does Not Prevent Distribution

23. The Appellant and SFN describe the 1985 Trust as "sui generis" in an attempt to entice this Court to develop new law in order to deal with this first nation trust.

24. There is no need in this case to recognize a new category of trusts. Discrimination can be addressed in a subsequent application. For instance, in *Hurshman*, the Court permitted a female beneficiary to benefit from the trust regardless of her spouse.³⁵ In finding remedies, the courts should use a scalpel, not a sword; while there are precise cuts that could be made, this issue is not before this Court.³⁶

25. The Trustees submit that Justice Little was correct in concluding the present situation is analogous to *Taylor v Ginoogaming*.³⁷ *Taylor* involved a First Nations trust that distributed to members who were on a band list at a specific point in time. In that

³⁰ *Trustee Act*, SA 2022, c T-8.1 at s. 27(1).

³¹ *Trustee Act*, SA 2022, c T-8.1 at ss. 33(4)(a), (c), 47, and 48.

³² *Trustee Act*, SA 2022, c T-8.1 at ss. 31(2) and (3).

³³ *Trustee Act*, SA 2022, c T-8.1 at ss. 27(1)(b), and 42(2)(c).

³⁴ *Trustee Act*, SA 2022, c T-8.1 at s. 27(1)(a).

³⁵ *Hurshman, Mindlin v Hurshman, Re* [1956] 6 DLR (2d) 615 (BCSC) at para 13 [Tab 8].

³⁶ See, for example, *Schachter v Canada*, [1992] 2 SCR 679.

³⁷ *Taylor v Ginoogaming*, 2019 ONSC 328 ("Taylor")

case, it was recognized that, but for the discriminatory provisions of the *Act* (that were subsequently removed by amendment), there were individuals who *would have been* members on the specific point in time referenced in that trust deed. The Court concluded that given the clear language in the trust deed, even though perhaps those individuals ought to have been members at that time, they were not, and therefore were excluded from the benefit provided for in the trust deed.

26. This is a directly analogous case. In our case, the definition was frozen in time and not subject to legislative changes. *Taylor* stands for the proposition that even where there are legislative changes that address discrimination, that fact does not invalidate the designation of the “point in time” legislation as a means of identifying a beneficiary under a trust. Put another way, even though the legislation itself was discriminatory, that discrimination does not invalidate distribution.

27. With respect, SFN conflated Justice Little’s reasoning. SFN argues Justice Little misapprehended the nature of the beneficiaries of the 1985 Trust as being static or frozen in time.³⁸ This is not true. SFN cites the Threshold Decision for the claim that Justice Little believed beneficiaries were only those who qualified at a point in time in 1985.³⁹ However, Justice Little was referring to the “point in time” nature of the *Act*.⁴⁰

28. The Trustees submit that it is clear that Justice Little understood it was the legislation that was frozen in time and not the membership list itself. Justice Little heard extensive evidence and submissions over the course of a full-day hearing on how the system of protest works, how the definition affected future beneficiaries and how future beneficiaries could lose status.⁴¹

29. Justice Little understood this in coming to his conclusion on the application of *Taylor*. His conclusion on the subject is critical in understanding his reasoning:

³⁸ Factum of the Intervenor, SFN, at para 15-16.

³⁹ Threshold Decision at para 8.

⁴⁰ Record of Appeal – Memorandum of Decision, from Case Management Justice Little at 26, para 36.

⁴¹ See, for example: Transcript of the June 16, 2025 Case Management Hearing by Justice Little, at 11:23-27, 20:7-17, 49:14-20, 49:22-35, and 55:19-29 [EKE page 130]; Record of Appeal – Memorandum of Decision, from Case Management Justice Little at 26, paras 16-17, 27, and 42.

39. The *Shanks* decision from the Federal Court confirms that SFN can only challenge the Settlor and Council's transfer of funds to the 1985 Trust in Federal Court, subject to limitation issues.⁵⁰ The Court found that private corporation powers and thus by extension, private trust decisions are not reviewable,⁵¹ and since the funds were not paid from a trust account, trust principles did not apply.⁵² This case focused on the interpretation of the document governing the funds and found the first nation applied an unreasonable interpretation of "member" but did not focus on discrimination. Further, it affirmed the Taylor case was decided correctly.

C. Purpose Trusts

40. It is inaccurate to claim, as the Intervenors do, that Waters states all First Nation trusts are purpose trusts. This is a gross characterization of all First Nation trusts and is insulting and paternalistic to paint all First Nations trusts with the same legal brush without regard to explicit wording of the trust instruments, the intention of the settlors or the needs of their nation or members. Just because a trust is set up by a First Nation does not make it a purpose trust. SFN's interpretation of trust law is incorrect. In a discretionary trust, beneficiaries have enforceable rights, not just expectations. Although their proprietary interest only vests when trustees exercise discretion to distribute assets. Beneficiaries have recourse to the courts regarding the administration of trust. As admitted by SFN, the 1985 Trust benefits members and thus is not a purpose trust.

41. Contrary to the Appellant's assertion,⁵³ the 1985 Trust is **not** a non charitable purpose trust. Section 77 of the *Trustee Act* recognizes a non charitable purpose trust as being valid if it has a valid object and is for the performance of a function of government **and does not create an equitable interest in any person.**⁵⁴

⁵⁰ *Shanks v Salt River First Nation #195*, 2023 FC 690. ["**Shanks**"]

⁵¹ *Shanks* at para 32-33

⁵² *Shanks* at paras 37-41

⁵³ Factum of the Appellant, at paras 30, 31, and 39.1; Factum of the Intervenor, SFN, at paras 30, 37, and 38.

⁵⁴ *Fletcher's Fields Limited v The Ontario Rugger Union*, 2023 ONSC 373 at para 23.

42. The Supreme Court of Canada has described purpose trusts as a “rare species” of trusts for which there is no beneficiary, and for which funds are deposited in trust in order to see a particular purpose is filled; people may benefit, but only indirectly.⁵⁵
43. The 1985 Trust references the beneficiaries as being individuals thereby creating an equitable interest in these individuals. The Trust Deed makes numerous references to **specific individuals** and **members**. For instance, the preamble, and paragraphs 2, 5, 6, 8, and 11, all mention individuals or members, highlighting that the trust is established with **identifiable individual beneficiaries rather than for a general purpose**.⁵⁶ Furthermore, the 1985 Trust explicitly states trust funds **cannot be applied for any purpose other than those outlined in the trust deed**.⁵⁷
44. The affidavit of Paul Bujold specifically mentions that the 1985 Trust was established for individual benefit.⁵⁸ The 1986 Trust, which is identical to the 1985 Trust in terms of its distributive power, is specifically distributed to individual beneficiaries.
45. Chief Walter Twinn placed assets in trust for the benefit of the members of SFN as they existed in 1982.⁵⁹ The “number one objective” of the 1985 Trust, by Chief Walter Twinn’s own admission, was to exclude people who might have become band members under Bill C-31,⁶⁰ precluding the 1985 Trust from being a purpose trust.
46. The Appellant foreshadows making the alternative argument that the 1985 Trust is a non-charitable purpose trust that is subject to the public policy doctrine, but she notes that she does not have enough space in her factum to actually make the argument and simply cites several cases on the doctrine of public policy. The cases she cites largely support the idea that trusts will tolerate some measure of selectiveness on the

⁵⁵ *Schmidt v Air Products Canada Ltd* [1994] 2 SCR 611 at p. 640 [Tab 18]; *Bathgate et al v National Hockey League Pension Society et al*, 11 OR (3d) 449, OJ No 2168 (OCGD) [Tab 19].

⁵⁶ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibit G (Declaration of the 1985 Trust) [EKE page 71].

⁵⁷ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibit G (Declaration of the 1985 Trust) at para 3 [EKE page 75].

⁵⁸ Affidavit of Paul Bujold, Sworn September 12, 2011, at paras 9 [EKE page 7] and 31 [EKE page 12]; Extract of Key Evidence of the Appellant – Affidavit of Paul Bujold, sworn February 15, 2017 at 051, para 103.

⁵⁹ Affidavit of Paul Bujold, Sworn September 12, 2011, at Exhibit D (Asset Transfer Agreement) [EKE page 24].

⁶⁰ Extract of Key Evidence of SFN – Affidavit of Darcy Twinn, Exhibit B (Transcript of Cross—Examination of Chief Walter Twinn), at 19, 3908:15-20.

basis of religion, etc. as long as there is not blatant racism or religious superiority involved. She cites no cases in which distributions have been prohibited.

D. Limitations – Collateral Attacks are Statute Barred

47. Collateral attacks by SFN on the validity of the 1985 Trust are inappropriate. SFN is not a party to the action and has not brought an action to challenge the validity of the Trust. In any event, any question about validity is statute barred or void for laches, as also noted by the OPGT and in this Court in the Transfer Decision.⁶¹

48. The 1985 Trust is a valid trust. It has been operating as a valid trust for over 40 years. There is no order declaring the 1985 Trust invalid and thus the Trustees must manage the 1985 Trust according to their fiduciary duties, including the duty to distribute.


VI. RELIEF SOUGHT

49. The Appellant and SFN seek broad remedies that ask the Court to create new law and are far beyond the scope of the Threshold Question. They provide no legal basis for these novel claims.

50. The Trustees request this Honourable Court dismiss this Appeal in its entirety, and return the matter to Case Management Justice Little.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 8th day of January, 2026.

Dentons Canada LLP and KPMG LAW LLP



**Doris Bonora KC and Michael Sestito
Solicitors for the Trustees**

⁶¹ Brief of the Office of the Public Guardian and Trustee filed March 14, 2025 at paras 50-51. See also the Transfer Decision at para 69.

EXHIBIT C

COURT OF APPEAL OF ALBERTA COURT FILE NUMBER: 2503-0193AC (Ref: 1103-14112)

EXHIBIT C

This is **Exhibit "C"** referred to in the Affidavit of Dr. Jonathon Potskin, sworn this **31st day of May, 2026**.

A Commissioner for Oaths in and for Alberta

Letter from Judie Bopp (March 2009)



ANDREW A. CHOBA
A Commissioner for Oaths
in and for Alberta
By Virtue of Municipal Council
My Commission expires October 15, 2029



Four Worlds Centre for Development Learning
PO Box 395, Cochrane AB, T4C 1A6
Tel: 403-932-0882 / Fax: 403-932-0883
anyone@fourworlds.ca / www.fourworlds.ca

Dear Jonathon,

Your questions about the Trust documents and the name of the Trust company have been forwarded to the Trustees. Four Worlds does not have that information, and so we can't pass it on to you. The Trustees have received all the questions posed by beneficiaries, including questions about how Trustees are chosen and whether or not specific individuals are beneficiaries.

With respect to your questions about who the Board members are, this information is public. Chief Roland Guy Twinn, Bertha L'Hirondelle, Walter Felix Twin, Clara Midbo, and Catherine Twinn are the Trustees.

I can say that the Board is taking concrete steps to establish clear criteria for beneficiary status and, in my opinion, is acting in good faith to move forward as quickly as possible with setting up the processes related to flowing benefits. A draft of the beneficiary consultation report has been reviewed by an advisory committee of beneficiaries (none of whom are Board members) earlier this week. As soon as their recommendations are incorporated (by the end of next week), the report will be tabled with the Board.

I can also tell you that the Board has set into motion a legal process that is irreversible (that is, once they have initiated it, they are legally bound to complete it), requiring them to release this sort of basic information you are asking for to all beneficiaries. Their lawyers have told them that they cannot legally release information to some beneficiaries until they are ready to release the same information to all. This process is well underway, and the lawyers are saying it should be completed within six months.

I trust that this helps you with your concerns,
Judie Bopp

EXHIBIT D

COURT OF APPEAL OF ALBERTA COURT FILE NUMBER: 2503-0193AC (Ref: 1103-14112)

EXHIBIT D

This is **Exhibit "D"** referred to in the Affidavit of Dr. Jonathon Potskin, sworn this **31st day of May, 2026**.

A Commissioner for Oaths in and for Alberta

Email from Paul Bujold (May 14, 2019)



ANDREW ACHOBA
A Commissioner for Oaths
in and for Alberta
By Virtue of Municipal Council
My Commission expires October 15, 2020

THE SAWRIDGE TRUSTS

May 2019

Why were the Trusts Created?

The Sawridge Trusts were created by the Chief and Council of the Sawridge First Nation to provide economic development, to provide a potential for employment, and to create an avenue for self-sufficiency, self-assurance, confidence and financial independence for the members of the Sawridge First Nation. In 2009, the Trustees consulted with the beneficiaries to begin developing benefits that could be provided to beneficiaries of the Trusts that would provide support through all phases of the life of the beneficiary. The development of benefits has continued to the present. These benefits policies now include:

- Loans Policy
- Monies Owed to the Trusts Policy
- One Time Cash Disbursement Benefit Policy
- Language and Culture Support Benefit Policy
- Seniors' Support Benefit Policy
- Personal Development and Fitness Benefit Policy
- Health, Dental and Vision Care Insurance Benefit Policy
- Education Support Benefit Policy
- Addictions Treatment Benefit Policy
- Income replacement Benefit Policy
- Counselling Benefit Policy
- Recognition of Educational Achievement Benefit Policy
- Life Insurance Benefit Policy
- Health Travel Benefit Policy
- Home Support Benefit Policy
- Death Benefit Policy
- Supplemental Health Benefit Policy
- Definition of Dependents Eligible to Receive Benefits Policy

How Were the Trusts Created?

The two Sawridge Trusts were settled by Chief Walter Twinn, one on 15 April 1985 (the Sawridge Band Inter-Vivos Settlement) and one on 15 August 1986 (the Sawridge Trust), with money from the Sawridge First Nation's Capital and Revenue Account held in trust by the Federal Government for the First Nation. A majority of members of the Sawridge First Nation at the time gave their permission by resolution to the Chief and Council to set aside certain monies from the assets owned in common by the members of the First Nation into these two trusts.

Chief and Council at that time created a set of rules by which each trust would operate including:

- Who were the beneficiaries of each trust,
- How the trustees would be appointed,

- What the powers of these trustees would be.

By creating these two trusts, the assets were effectively removed from the ownership of the Sawridge First Nation and its members and placed into the hands of the beneficiaries of the trusts as administered by the selected Trustees. There is no legal or financial connection between the Sawridge First Nation and the Sawridge Trusts.

Who are the Beneficiaries of the Trusts?

In both trusts, the beneficiaries were to be the members of the Sawridge First Nation with some stipulations. In the Sawridge Band Inter-Vivos Settlement the membership rules to be used were those in the Indian Act, 1970 so as to specifically exclude women who had married non-Indians or non-members and their children. The rules in this trust also excluded any person who had enfranchised or surrendered their membership in the Sawridge First Nation as well as any illegitimate children of the members. In the Sawridge Trust, the membership rules to be used were the membership rules as determined by the Sawridge First Nation.

Because of an on-going court action to determine a definition for the Sawridge Band Inter-Vivos Settlement that is not discriminatory, we are unable to state definitively who are the beneficiaries of that trust. The beneficiaries of the Sawridge Trust are the members of the Sawridge First Nation according to its current membership list.

How are the Trusts Administered?

The trusts are administered by five (5) trustees who make decisions by majority vote. The trustees decide how the trusts' funds will be invested and how the trusts' funds will be distributed to beneficiaries by policies which set out the rules for investments and distribution.

The trustees hire a Trusts' Administrator to administer the policies of the trusts and to assist the trustees in carrying out their responsibilities. The trustees may also hire other persons or companies to assist with these duties.

Since 2006, the trustees have hired and appointed a professional Board of Directors of the Sawridge Group of Companies to manage and administer the various investments made using the trusts' funds. The Board of Directors operates the Sawridge Group of Companies separately from the Sawridge Trusts but the trustees are the sole shareholders in the companies in which the Board of Directors have invested and exercise the shareholder rights. The trustees also appoint the Directors and recruit professionals in the field of investment management with a known reputation for their skill and professional qualifications in the field of business.

How are the Trustees Selected?

In both of the Trusts, the initial trustees were appointed by the settlor, Chief Walter Twinn, and after that the trustees were appointed by the remaining trustees, as set out in the Trust Deeds, if one or more of the trustees resigned or died. If trustees did not resign, they were appointed for life. In the Sawridge Band Inter-Vivos Settlement, at least three (3) trustees had to be beneficiaries of that trust and up to two (2) could be non-beneficiaries. In the Sawridge Trust, at least four (4) trustees had to be beneficiaries of that trust and up to three (3) could be non-beneficiaries.

In March 2018, the trustees amended the appointment process by resolution. Under the terms of that resolution, both trusts will have five (5) trustees, three (3) of whom will be beneficiaries of both trusts and two (2) of whom will be non-beneficiaries. All trustees will have three (3) year terms, except for the initial two non-beneficiary trustees who will have an initial term of four (4) years. Trustees may be

reappointed for an additional three (3) year term after serving one three-year term and then have to sit out at least one term before being considered again for the position.

Trustees must meet specific requirements under law. A list of requirements is attached at Appendix 1.

When there is a vacancy among the non-beneficiary trustees, a new non-beneficiary trustee is recruited by advertising publically for interested candidates or recruiting them through recruitment firms. A candidate who meets the requirements is then selected by the remaining trustees.

When there is a vacancy among the beneficiary trustees, a beneficiary trustee is recruited by requesting beneficiaries to submit applications to the Trusts' Office. A candidate who meets the requirements is then selected by the remaining trustees.

The legal requirements for a trustee are:

1. Is able to act honestly and in good faith with a view to the best interests of the beneficiaries of the trust,
2. Is able to exercise the care, diligence and skill of a reasonably prudent business person.
3. Without restricting the matters that a trustee may consider, in planning the investment of trust funds a trustee must consider the following matters, insofar as they are relevant to the circumstances of the trust:
 - a. the purposes and probable duration of the trust, the total value of the trust's assets and the needs and circumstances of the beneficiaries;
 - b. the duty to act impartially towards beneficiaries and between different classes of beneficiaries;
 - c. the special relationship or value of an asset to the purpose of the trust or to one or more of the beneficiaries;
 - d. the need to maintain the real value of the capital or income of the trust;
 - e. the need to maintain a balance that is appropriate to the circumstances of the trust between
 - i. risk,
 - ii. expected total return from income and the appreciation of capital,
 - iii. liquidity, and
 - iv. regularity of income;
 - f. the importance of diversifying the investments to an extent that is appropriate to the circumstances of the trust;
 - g. the role of different investments or courses of action in the trust portfolio;
 - h. the costs, such as commissions and fees, of investment decisions or strategies;
 - i. the expected tax consequences of investment decisions or strategies.
4. Has not been convicted of an indictable offence,
5. Is not a formal patient under the Mental Health Act or in respect of whom a guardian or trustee is appointed under the Adult Guardianship and Trusteeship Act or a certificate of incapacity is in effect under the Public Trustee Act,
6. Is not a bankrupt, or
7. Is not a corporation in liquidation or that has been dissolved.

Who are the Current Trustees?

The current trustees are:

1. David Majeski, non-beneficiary, initial appointment 19 April 2018, end of first term 18 April 2022.
2. Tracey Scarlett, non-beneficiary, initial appointment 15 November 2018, end of first term 14 November 2022.
3. Justin Twin, beneficiary, initial appointment 15 March 2018, end of first term 14 March 2021.
4. Margaret Ward, beneficiary, initial appointment 15 November 2018, end of first term 14 November 2021.
5. Roland Twinn, beneficiary, initial appointment 15 March 2020, end of first term 14 March 2023.

What are the Powers of the Trustees?

According to the trust deed, the constitution of the Trusts, as it were, the trustees have the following powers:

1. The power to fill any vacancy caused by the death, resignation or removal of a trustee.
2. Complete and unfettered discretion to pay or apply all or so much of the net income or the capital of the trust fund or to accumulate so much they deem appropriate and to make payments in such manner and in such proportions as they, in their uncontrolled discretion, deem appropriate.
3. The power to invest and reinvest all or any part of the trust fund in any investments.
4. The power to carry out any acts the trustees, acting as they would when dealing with their own property, deem desirable for the purposes of administering the trust fund for the benefit of the beneficiaries including exercising all voting and other rights with respect to stock, bonds or other investments; buy, sell or dispose of any property; and employ professional advisors and agents.
5. The power to pay for the costs of the administration of the Trusts from the trust fund.

What are the Investments and Assets of the Trusts?

From 1985 to 2006, the trusts' funds were invested in a number of separate businesses and in shares, stocks and bonds. The trustees were both the trustees of the trusts and the directors of these businesses during this time. In 2006, all of these investments were consolidated into the Sawridge Group of Companies and placed under the administration of the Board of Directors.

The Sawridge Band Inter-Vivos Settlement owns 44% of the shares of the Sawridge Group of Companies investments. The Sawridge Trust owns 56% of the shares of the Sawridge Group of Companies. These shares yield a certain value depending on the current market value of the assets less the outstanding debts against these assets. The fact that the trusts own shares in the Sawridge Group of Companies does not entitle the beneficiaries to direct the affairs of the Sawridge Group of Companies since they are not legally the shareholders of the companies.

Normally, the benefits provided by the trusts to the beneficiaries are paid from monies generated as profit by the trusts investments rather than the capital that was originally invested. In the case of the Sawridge Trusts, loans were initially provided by the trusts to the companies to secure the investments. These loans are secured by debentures (loan documents). As long as the companies are able to repay these loans to the trusts, the trusts can use this money to operate the trusts and provide benefits which are tax-free to the beneficiaries. Once the loans are all repaid, monies generated by the companies will be paid to the trusts as dividends, that is, profits on the shares owned. Once the trusts is receiving dividends, the benefits paid by the trusts will be taxable to the beneficiary.

What Can Beneficiaries Expect from the Trusts?

The beneficiaries are the beneficial owners of the Sawridge Trusts while the trustees are the legal owners. That means that the trustees are obligated to periodically account to the beneficiaries for the financial administration of the trusts; the trustees may consult with beneficiaries about changes to the trust deeds; the trustees may, but are not obligated, to consult with beneficiaries regarding benefits that are paid out from the trust; and the trustees will recruit new beneficiary trustees from among the qualified beneficiaries.

To promote a strong relationship with the beneficiaries, the trustees have set up a process of holding an annual meetings for beneficiaries of each of the trusts to meet with the trustees to share their concerns and hear about developments in the Sawridge Trusts in the past year. These meetings are scheduled for the Fall in each year along with separate annual meetings with the Sawridge First Nation Chief and Councillors.

In addition to the above, the beneficiaries can receive benefits for which they are eligible from the trusts provided that the trusts have sufficient funds to continue providing a particular benefit and provided that the beneficiaries follow the policies set out for a particular benefit by the trustees.

Trustee Biographies

Roland Twinn

Roland (also known as 'Guy') has been married for 27 years to Haitina and has two sons—Roy and Alexander, of whom he is very proud. Roland has served Sawridge First Nation for over 21 years. He was elected Councillor in September 1997 and served in that capacity until he was elected Chief in February 2003. He is a Trustee of the Sawridge Trusts since 2002. Roland also holds positions as a director of various corporations and non-profit organizations as well being president of some of these entities. Roland has also served First Nations as Grand Chief and Vice Chief of the Lesser Slave Lake Indian Regional Council and once as Grand Chief of Treaty 8 First Nations of Alberta. His experience prior to First Nation politics varied from laborer, heavy equipment operator, and tire technician to manager of the Sawridge Travel Centre. Roland obtained the NATOA Trustee Certification with Lethbridge College in 2018.

Everett Justin Twin

Everett Justin Twin (also known as 'Justin') is a family man first and business entrepreneur second. A proud father of five children ranging in age from 4 – 18 years of age. Justin started his career in the automotive and tire industry in 1999. He has been in managerial roles since 2004. He started his business entrepreneurship in 2012 by purchasing the Fountain Tire Slave Lake business and currently owns and operates the business. He served ten years as an elected Councillor for the Sawridge First Nation and has served on various business boards and also various committees. Justin obtained his NATOA Trustee Certification from Lethbridge College in 2018.

Margaret S. Ward

Margaret S. Ward, PhD (also known as 'Peggy') is a member of the Sawridge First Nation (since 1981) and became a Trustee of the Sawridge Trusts in August 2014. She had previously been a Trustee-in-Training for the Sawridge Trusts from 2004-2007.

Margaret's educational background includes a teaching degree from the University of Illinois (1970); a bachelor's degree in Native American Studies from the University of Lethbridge (1985); a master's degree from the University of Saskatchewan (1988), with her thesis focusing on policy and politics between the federal government and First Nations during the 1970s; a doctorate from the University of

Calgary (1992), completing a dissertation analyzing the federal government's post-secondary education policy during the 1980s and the NATOA Trustee Certification from Lethbridge College in 2018.

Margaret's professional experiences throughout the past 44 years greatly enhanced her connections to indigenous communities, including immersion in the social fabric of communities in which she resided. These experiences are: as a teacher at Peavine Métis Settlement (1975-1978); as an instructor at the Grouard AVC (1978-1982); as an instructor, dean, and member of the Management Team at Maskwacis Cultural College (1991-2004); and as an Instructor for Northern Lakes College in Loon River First Nation (2004-2012). Margaret currently resides near Wetaskiwin/Maskwacis.

David Majeski

Dave Majeski retired in 2015 following a 47 year career with RBC Royal Bank. His career took him across Canada with assignments in Montreal, Toronto, Calgary and Edmonton and included over 20 years in operations and human resources with the balance in corporate/commercial banking. His last posting in Edmonton was Vice President, heading a business group focused on real estate and construction services as well as serving as RBC's regional leader. Previously, he led RBC's indigenous banking group for Alberta which provided a full range of banking and lending services to Indigenous Nations.

In 2013, Dave was honored with a Distinguished Citizen Award by MacEwan University and awarded an Honorary Bachelor's Degree. He obtained his Institute of Corporate Director's diploma in 2013 and the NATOA Trustee Certification with Lethbridge College in 2018. In 2015, Dave was recognized by the City of Edmonton for his outstanding contribution to community service and inducted into the Salute to Excellence Hall of Fame.

Dave is an active and dedicated community leader and builder and has previously served as a director on a number of not-for-profit boards, including, currently, the Edmonton Police Foundation. In addition, he is a long-time chair of the Gold Metal Plates/Canada's Great Kitchen Party gala as well as serving on a committee supporting Youth Emergency Services Society.

In addition to his ongoing support of the community, Dave also serves as a Director of three active businesses, one of which is a public company, and is honoured to serve as a Trustee of the Sawridge Trusts.

Tracey Scarlett

Appointed as a Trustee of the Sawridge Trusts in November 2018, Tracey Scarlett has over 30 years of business leadership and board governance experience.

Tracey has extensive knowledge of diverse and inclusive entrepreneurship development programs, including over ten years of working with several First Nations, Métis and other community groups to ensure these individuals were able to access training, resources, networks and capital to build viable business. She has been a speaker and expert panelist for numerous conferences related to diversity and inclusion as well as for various community economic development and international development organizations.

She holds a BSc in Medical Lab Science and a MBA in Technology Commercialization from the University of Alberta and has completed the ICD Director Education program from University of Toronto and NATOA Trustee Certification from Lethbridge College in 2018.

Ms. Scarlett resides in Edmonton where she works as a business advisor to various companies, in addition to holding several Board roles. She is a Director for the Business Development Bank of Canada, Vice Chair of Travel Alberta, Chair of the Board of Bredin College, a Director with Alberta Enterprise

Corporation, an Advisor to U of A Venture Mentoring Service, and is a Member of NSERC Committee for Research Partnerships.

Previously, Tracey was Dean of the JR Shaw School of Business at NAIT and CEO of Alberta Women Entrepreneurs.

Trust Officer Biographies

Brian Heidecker, Chair

Brian began his role as the non-voting Chair of the Trusts in May 2010. He brings his wide-ranging business background and governance experience to the Trusts and as an ex-officio member of the Sawridge Companies' Board of Directors.

From 1966 until 2000, Brian and his late wife, Gail developed a large scale ranching and farming operation near Coronation. They partially downsized in 2000 and completed the dispersal in 2006 by selling the operation to three of their nephews and their son.

Brian has been involved in the governance of many, many organizations since the early 70's, racking up some 275 years of cumulative Board experience. This includes many financial-related assignments such as Alberta Ag Financial Services, the Alberta Securities Commission, ATB Financial and the Bank of Canada.

His passion for education has seen him serving on the Clearview School Board, the Alberta School Trustees Association and 30 plus years at the University of Alberta culminating in six years as the Chair of the Board of Governors.

Brian recently stepped down as Chair of the Edmonton Public Library Board and the Fringe Theatre Adventures Board. He continues to serve on the Investment Industry Organization of Canada Board.

In 2011, Brian was awarded an Honorary Doctorate Degree from the University of Alberta for "Outstanding Service to Society".

Paul Bujold, Trusts' Administrator

Prior to taking the position of Trusts' Administrator with the Sawridge Trusts in 2009, Paul was Head Master of the Sethembiso Sebunye Bahá'í High School in Swaziland. Previous to that, he held positions as CEO of the Ribstone Child and Family Services Authority, Director of Operations for the Bahá'í Community of Canada, Director of Family and Community Services in Flagstaff County and Cold Lake, and Executive Director of Hobbema Indian Health Services. Paul also operated consulting businesses in management, financial planning, computer training, and human resource placement in China and taught university courses in business and community development.

Paul holds a BSc in Psychology and a MA in Community Development from the University of Alberta and has completed some course work toward a PhD in Human and Organisational Development at the Fielding Graduate Institute in Santa Barbara and, most recently, some coursework toward a MA in Community Engagement at the University of Alberta. He has served in various positions on a number of community boards across Canada and in Swaziland.

APPENDIX 1

Legal requirements of trustees

These legal requirements are the first screening level for candidates being considered for a trustee position.

- act honestly and in good faith with a view to the best interests of the beneficiaries
- exercise the care, diligence and skill of a reasonably prudent person
- act impartially towards beneficiaries and between different classes of beneficiaries
- has not been convicted of an indictable offence
- is not a formal patient under the Mental Health Act or in respect of whom a guardian or trustee is appointed under the Adult Guardianship and Trusteeship Act or a certificate of incapacity is in effect under the Public Trustee Act
- is not a bankrupt individual or corporation in liquidation or that has been dissolved

APPENDIX 2

Trustee Skills Matrix

This skills matrix is the basis upon which new trustees are chosen.

Cultural Competency

Understanding the cultural diversity of the Sawridge First Nation and interacting effectively with trustees, Sawridge Companies board members, beneficiaries and First Nation Council.

Benefits Administration

Sensitive to the needs of beneficiaries and applying same in a fair and consistent manner. Identifies issues and underlying components of the situation. Considers alternate solutions by weighting potential risks and impact against desired outcomes.

Governance

Governance is the system by which an organization is directed and controlled, working closely with the Trusts' Administrator. Good governance requires that Trustees support and give direction to the Trusts' Administrator to ensure she/he leads the organization in accordance with established strategies and plans. Must be prepared to understand and accept the nuances of the unique working arrangements between the Trustees/Trusts and the Sawridge Group of Companies Board/Senior Management.

Financial & Business Acumen

This is more than numbers. Trustees need to understand how corporations make decisions and be financially literate in order to understand numbers on financial statements. Trustees must see the "big picture" and how the key drivers of the business relate to one another, working together to produce growth.

Legal

Legal is an understanding of what is allowable or permissible and being in conformity with laws, principles, regulatory, statutory, etc. General knowledge of trust law and beneficiary rights would be an advantage.

Leadership

Leadership is the process of social influence in which one person can enlist the aid and support of others in the accomplishment of a common task. Leaders can be someone whom other people follow or someone who guides or directs others, while leadership is organizing a group of people to achieve a common goal. Traits of leaders include being a role model for integrity and ethics, demonstrating optimism and positive energy, motivating and inspiring others, resolving conflict, listening and communicating.

Risk Management

This is the process of identifying, quantifying, and mitigating the risks an entity faces. While it is impossible to remove all risks, it is important Trustees properly understand the risk tolerance level the entity is able to accept in the context of its approved strategy.

Sphere of Influence

The sphere of influence of an organization or individual can show its power and influence in the decisions of other organizations or individuals. Being connected and plugged into influential business and government leaders is beneficial, giving you access to people that can make things happen in your favor. You are advantaged. This is more about who you know as opposed to what you know.

EXHIBIT E

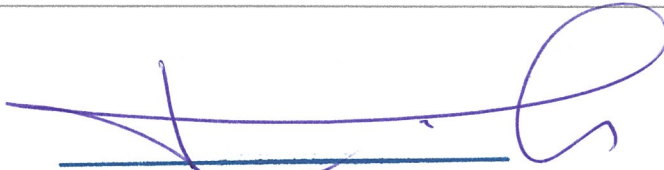
COURT OF APPEAL OF ALBERTA COURT FILE NUMBER: 2503-0193AC (Ref: 1103-14112)

EXHIBIT E

This is **Exhibit "E"** referred to in the Affidavit of Dr. Jonathon Potskin, sworn this **31st day of May, 2026.**

A Commissioner for Oaths in and for Alberta

Email from Paul Bujold (May 6, 2026)



ANDREW ACHOBA
A Commissioner for Oaths
in and for Alberta
By Virtue of Municipal Council
My Commission expires October 15, 2029

Beneficiary Application Form 1985 Trust

From Paul Bujold <paul@sawridgetrusts.ca>

Date Wed 2026-05-06 11:13 AM

To Jonathon Potskin <jonathon@sawridgetrusts.ca>; Potskin, Jonathon (Personal) <jpotskin@outlook.com>

 1 attachment (470 KB)

Beneficiary Application Form 1985 Trust (fillable).pdf;

Jonathon,

As we near a settlement on 2503-01115, I am sorry to have to bother you again on the topic of filling out the Beneficiary Application Form for the 1985 Trust. We are requiring that Patrick Twinn fill out this form and do not want to run into an accusation that we are giving some beneficiaries preferential treatment by permitting them not to fill out the form while still giving them 1985 Trust beneficiary status. Could you fill out the attached form and submit it to the Trusts?

Paul Bujold, BSc, MA

Trusts' Administrator/CEO

Sawridge Trusts

Phone 780-988-7723 **Mobile** 780-270-4209

Web www.sawridgetrusts.ca

Email paul@sawridgetrusts.ca

Address : P.O. Box 175, Edmonton Main,
Edmonton, AB, T5J 2J1

EXHIBIT F

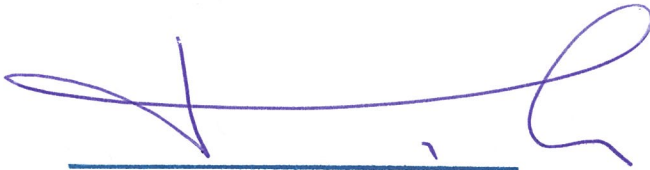
COURT OF APPEAL OF ALBERTA COURT FILE NUMBER: 2503-0193AC (Ref: 1103-14112)

EXHIBIT F

This is **Exhibit "F"** referred to in the Affidavit of Dr. Jonathon Potskin, sworn this **31st day of May, 2026**.

A Commissioner for Oaths in and for Alberta

Executed Beneficiary Application Form



ANDREWACHOBA
A Commissioner for Oaths
in and for Alberta
By Virtue of Municipal Council
My Commission expires **October 15, 2029**

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

All of the information requested in this application is necessary to determine whether or not you are eligible to be considered a beneficiary of this trust. This information will be kept confidential and will be used for the determination of beneficiary status only. Failure to provide the information requested on this application will delay or prevent determination of your status as a beneficiary. It may be necessary to request further information from you once the information below is evaluated.

Please note that the determination of beneficiaries of the Sawridge Intervivos Settlement [1985] requires the use of the beneficiary definition as stated in its Trust Deed, which in turn requires the use of the Indian Act R.S.C 1970, c.1-6 as it existed on April 15, 1982. Excerpts from these two documents comprise Appendix I and II at the end of this form.

1. APPLICATION DATE		
2. FAMILY NAME	GIVEN NAME(S)	
3. FAMILY NAME AT BIRTH (IF DIFFERENT FROM ABOVE)		
4. BIRTHDAY (YYYYMMDD)	GENDER <input type="checkbox"/> FEMALE <input type="checkbox"/> MALE <input type="checkbox"/> OTHER	
5. YOUR PERMANENT ADDRESS	IS THIS ADDRESS ON A RESERVE <input type="checkbox"/> YES <input type="checkbox"/> NO	
HOUSE NUMBER, STREET, APARTMENT, P.O. BOX, LAND DESCRIPTION		
CITY/TOWN	PROVINCE/TERRITORY	POSTAL CODE
6. YOUR MAILING ADDRESS (IF DIFFERENT FROM ABOVE)		
HOUSE NUMBER, STREET, APARTMENT, P.O. BOX		
CITY/TOWN	PROVINCE/TERRITORY	POSTAL CODE
7. YOUR E-MAIL ADDRESS	8. YOUR TELEPHONE NUMBER	
9. DO YOU HAVE A CURRENT, 10-DIGIT, GOVERNMENT-ASSIGNED TREATY/STATUS CARD NUMBER	<input type="checkbox"/> YES <input type="checkbox"/> NO	CURRENT NUMBER (10 DIGITS)
WHEN WERE YOU ASSIGNED THIS CURRENT NUMBER?		DATE (YYYY)
10. ARE/WERE YOU A NON-STATUS WOMAN WHO MARRIED A MALE MEMBER OF THE SAWRIDGE FIRST NATION:		<input type="checkbox"/> YES <input type="checkbox"/> NO
PROVIDE THE NAME OF THIS MAN:		
PROVIDE THE DATE OF YOUR MARRIAGE TO HIM: (YYYYMMDD)		
ARE YOU STILL MARRIED TO THIS MAN? <input type="checkbox"/> YES <input type="checkbox"/> NO ARE YOU DIVORCED FROM THIS MAN? <input type="checkbox"/> YES <input type="checkbox"/> NO		
IF DIVORCED, HAVE YOU SINCE REMARRIED? <input type="checkbox"/> YES <input type="checkbox"/> NO		
IF YOU ANSWERED YES TO FIRST LINE OF QUESTION 10, PLEASE SUBMIT YOUR AND YOUR CHILDREN'S BIRTH CERTIFICATES (IF ANY, FROM MARRIAGE TO THIS SAWRIDGE MAN ONLY); YOUR MARRIAGE CERTIFICATE; YOUR DIVORCE CERTIFICATE (IF APPLICABLE); PROOF OF REMARRIAGE (IF APPLICABLE). YOU DO NOT NEED TO FILL OUT THE REMAINDER OF THIS FORM EXCEPT TO SIGN AND DATE IT ON PAGE 8 BEFORE SUBMITTING.		
11. DID YOU HAVE A PREVIOUS GOVERNMENT-ASSIGNED REGISTRATION NUMBER ISSUED PRIOR TO YOUR CURRENT NUMBER?	<input type="checkbox"/> YES <input type="checkbox"/> NO	PREVIOUS NUMBER (10 DIGITS)
WHEN WERE YOU ASSIGNED THIS PREVIOUSLY ASSIGNED NUMBER?		DATE (YYYY)
12. WERE YOU A REGISTERED MEMBER OF THE SAWRIDGE FIRST NATION ON 15 APRIL 1985?		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

13. IF YOU ARE NOT RECOGNIZED BY THE SAWRIDGE FIRST NATION AS A CURRENT MEMBER, WHO AMONG YOUR ANCESTORS WAS RECOGNIZED BY THE FEDERAL GOVERNMENT AS A SAWRIDGE FIRST NATION MEMBER?	NAME: RELATION TO YOU:
14. WHY DO YOU FEEL YOU ARE ELIGIBLE AS A BENEFICIARY OF THE SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)?	

IF YOU ANSWERED "YES" TO QUESTION 12, GO TO PART A, THEN PART C
 IF YOU ANSWERED "NO" OR "DON'T KNOW" TO QUESTION 12, GO TO PART B, THEN PART C

PART A ANSWER ONLY IF YOU ANSWERED "YES" TO QUESTION 12.	
15. WERE YOU A MINOR CHILD OF A GOVERNMENT-REGISTERED SAWRIDGE FIRST NATION MEMBER ON 15 APRIL 1985?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16. WERE YOU A LEGALLY MARRIED SPOUSE OF A GOVERNMENT-REGISTERED SAWRIDGE FIRST NATION MEMBER ON 15 APRIL 1985?	<input type="checkbox"/> Yes <input type="checkbox"/> No
WHO WAS THIS SAWRIDGE FIRST NATION MEMBER?	
17. HAVE YOU VOLUNTARILY SURRENDERED SAWRIDGE FIRST NATION MEMBERSHIP SINCE 3 JULY 1985 UNDER THE SAWRIDGE FIRST NATION MEMBERSHIP CODE?	<input type="checkbox"/> Yes <input type="checkbox"/> No

IF YOU ANSWERED "YES", TO QUESTION 17, GO TO PART B

18. IF YOU WERE A GOVERNMENT-REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON 15 APRIL 1985, SINCE 15 APRIL 1985 HAVE YOU MARRIED A NON-STATUS PERSON?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
19. IF YOU ANSWERED QUESTION 18 AS "YES", PLEASE PROVIDE THE DATE OF YOUR MARRIAGE AND YOUR SPOUSES NAME: DATE OF YOUR MARRIAGE: _____ SPOUSE'S NAME: _____ SPOUSE'S GENDER <input type="checkbox"/> FEMALE <input type="checkbox"/> MALE <input type="checkbox"/> OTHER	
20. IF YOU WERE A GOVERNMENT-REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON 15 APRIL 1985, SINCE THEN 15 APRIL 1985 HAVE YOU MARRIED A STATUS PERSON?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
21. IF YOU ANSWERED QUESTION 20 AS "YES", PLEASE PROVIDE THE DATE OF YOUR MARRIAGE, YOUR SPOUSE'S NAME AND YOUR SPOUSE'S FIRST NATION: DATE OF YOUR MARRIAGE: _____ SPOUSE'S NAME: _____ SPOUSE'S FIRST NATION: _____ SPOUSE'S STATUS NUMBER: (10 DIGITS) _____	
22. IF YOU WERE A GOVERNMENT-REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON 15 APRIL 1985, DID YOU ON THAT DATE OR DO YOU CURRENTLY HAVE MINOR CHILDREN BORN AFTER APRIL 15, 1985?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
NAME OF CHILD	BIRTHDATE (YYYYMMDD)

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

PLEASE FILL OUT A SEPARATE APPLICATION FORM FOR EACH CHILD LISTED ABOVE.

PART B

COMPLETE ONLY IF YOU ANSWERED "NO" OR "DON'T KNOW" TO QUESTION 12 OR IF YOU ANSWERED "YES" TO QUESTION 15.

24. IF YOU WERE NOT A REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON 15 APRIL 1985, OR IF YOU HAVE VOLUNTARILY SURRENDERED MEMBERSHIP SINCE 3 JULY 1985, CHECK ANY AND ALL THAT APPLY TO YOU:

- A. I WAS INVOLUNTARILY ENFRANCHISED UNDER THE PRE-1985 INDIAN ACT.**
ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL:
- B. MY MOTHER WAS INVOLUNTARILY ENFRANCHISED UNDER THE PRE-1985 INDIAN ACT.**
YOUR ENFRANCHISED MOTHER'S FULL NAME:
- C. MY MATERNAL/PATERNAL GRANDMOTHER WAS INVOLUNTARILY ENFRANCHISED UNDER THE PRE-1985 INDIAN ACT.**
YOUR ENFRANCHISED MATERNAL/PATERNAL GRANDMOTHER'S FULL NAME:
- D. I WAS BORN AFTER 15 APRIL 1985.**
- E. I VOLUNTARILY ENFRANCHISED BEFORE 15 APRIL 1985.**
ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL:
- F. MY FATHER OR GRANDFATHER VOLUNTARILY ENFRANCHISED UNDER THE PRE-1985 INDIAN ACT.**
YOUR ENFRANCHISED FATHER/GRANDFATHER'S FULL NAME:

YOUR ENFRANCHISED FATHER/GRANDFATHER'S SAWRIDGE FIRST NATION MEMBER NUMBER:

ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL:
- G. MY MOTHER VOLUNTARILY ENFRANCHISED UNDER THE PRE-1985 INDIAN ACT.**
YOUR ENFRANCHISED MOTHER'S FULL NAME:

YOUR ENFRANCHISED MOTHER'S SAWRIDGE FIRST NATION MEMBER NUMBER:

ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL:
- H. MY MOTHER OR GRANDMOTHER MARRIED A MAN BELONGING TO A DIFFERENT FIRST NATION PRE-1985.**
THIS MOTHER/GRANDMOTHER'S FULL NAME:

NAME OF FIRST NATION SHE WAS TRANSFERRED TO:
- I. I VOLUNTARILY SURRENDERED MEMBERSHIP AFTER 3 JULY 1985 UNDER THE SAWRIDGE FIRST NATION MEMBERSHIP CODE.**
- J. OTHER (EXPLAIN):**

25. IF YOU WERE NOT A REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON 15 APRIL 1985, OR IF YOU HAVE VOLUNTARILY SURRENDERED MEMBERSHIP SINCE 3 JULY 1985, ARE YOU CURRENTLY MARRIED TO A SAWRIDGE FIRST NATION MEMBER?

Yes No N/A

IF YOU ANSWERED QUESTION 25 AS "YES", PLEASE PROVIDE YOUR DATE OF MARRIAGE AND SPOUSE'S NAME:

DATE OF YOUR MARRIAGE:

SPOUSE'S NAME:

26. IF YOU WERE NOT A REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON APRIL 15, 1985, ARE YOU CURRENTLY A MINOR CHILD FROM A LEGAL MARRIAGE OF A SAWRIDGE FIRST NATION MEMBER?

Yes No N/A

IF YOU ANSWERED QUESTION 26 AS "YES", WHO IS/ARE YOUR SAWRIDGE FIRST NATION PARENT(S)?

27. IF YOU WERE NOT A REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON 15 APRIL 1985, OR IF YOU HAVE VOLUNTARILY SURRENDERED MEMBERSHIP SINCE 3 JULY 1985, ARE YOU CURRENTLY MARRIED TO A NON-STATUS PERSON?

Yes No N/A

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

IF YOU ANSWERED QUESTION 27 AS "YES", PLEASE PROVIDE DATE OF YOUR MARRIAGE: SPOUSE'S NAME:	
28. IF YOU WERE NOT A GOVERNMENT-REGISTERED MEMBER OF SAWRIDGE FIRST NATION ON 15 APRIL 1985, DO YOU CURRENTLY HAVE MINOR CHILDREN FROM A LEGAL MARRIAGE BORN AFTER APRIL 15, 1985?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
29. IF YOU ANSWERED QUESTION 28 AS "YES", PLEASE PROVIDE THE CHILDREN'S/CHILD'S NAME(S), AND BIRTHDATE(S).	
NAME OF CHILD	BIRTHDATE (YYYYMMDD)

PLEASE FILL OUT A SEPARATE APPLICATION FORM FOR EACH CHILD LISTED ABOVE.

PART C TO BE COMPLETED BY ALL APPLICANTS (EXCEPT NON-STATUS WOMEN WHO MARRIED A MALE MEMBER OF THE SAWRIDGE FIRST NATION)	
30. ARE YOU A MEMBER OF A FIRST NATION OTHER THAN SAWRIDGE FIRST NATION?	<input type="checkbox"/> Yes <input type="checkbox"/> No
IF YOU ANSWERED QUESTION 30 AS "YES", WHICH FIRST NATION?	
31. DOES YOUR SPOUSE HOLD MEMBERSHIP IN ANOTHER FIRST NATION THAT IS <u>NOT</u> SAWRIDGE FIRST NATION?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
IF YOU ANSWERED QUESTION 31 AS "YES", WHICH FIRST NATION?	
32. DO ANY OF YOUR MINOR CHILDREN HOLD MEMBERSHIP IN ANOTHER FIRST NATION THAT IS NOT SAWRIDGE FIRST NATION?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
IF YOU ANSWERED QUESTION 32 AS "YES", WHICH CHILDREN AND WHICH FIRST NATION?	
CHILD'S NAME	FIRST NATION
33. DID YOUR MOTHER GAIN STATUS UPON MARRIAGE TO YOUR FATHER?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DON'T KNOW <input type="checkbox"/> N/A
IF YOU ANSWERED QUESTION 33 AS "YES", WHAT WAS YOUR PARENT'S DATE OF MARRIAGE? (YYYYMMDD)	

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

34. DID YOUR FATHER'S MOTHER (YOUR PATERNAL GRANDMOTHER) GAIN STATUS UPON MARRIAGE TO YOUR PATERNAL GRANDFATHER?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW <input type="checkbox"/> N/A
35. ARE YOU A FAMILY MEMBER OR DESCENDANT OF SOMEONE WHO RECEIVED LAND OR MONEY SCRIP IN 1899 OR LATER?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW <input type="checkbox"/> N/A
IF YOU ANSWERED QUESTION 35 AS "YES", HOW ARE YOU RELATED TO THIS PERSON?	
36. ARE YOU A MALE PERSON WHO IS A DIRECT DESCENDANT IN THE MALE LINE OF A MALE PERSON WHO SIGNED/SIGNED INTO TREATY 8 IN 1899 OR LATER?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
IF YOU ANSWERED QUESTION 36 AS "YES", WHO WAS THIS ANCESTOR?	

IF YOU ARE A NON-MEMBER SPOUSE OR NON-STATUS SPOUSE OF A SAWRIDGE FIRST NATION MEMBER, YOU DO NOT NEED TO FILL OUT THE QUESTIONS 37, 39, 40, 41, 42. GO TO QUESTION 44. APPLICATION FOR YOURSELF TO SIGN THE FORM.

YOUR PARENT'S INFORMATION

37. MOTHER <input type="checkbox"/> BIRTH <input type="checkbox"/> ADOPTIVE		
MOTHER'S FAMILY NAME	MOTHER'S GIVEN NAME(S)	
MOTHER'S FAMILY NAME AT BIRTH (IF DIFFERENT FROM ABOVE)	MOTHER'S TREATY NUMBER/STATUS CARD NUMBER (IF APPLICABLE)	
WAS/IS YOUR MOTHER A MEMBER OF A FIRST NATION AT BIRTH?	<input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, WHICH FIRST NATION?
WAS/IS YOUR MOTHER A DESCENDANT OF SOMEONE WHO RECEIVED LAND OR MONEY SCRIP?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW	IF YES, HOW WAS SHE RELATED TO THIS PERSON?
MOTHER'S BIRTHDAY (YYYYMMDD)	MOTHER'S DATE OF DEATH (YYYYMMDD) (IF APPLICABLE)	
MOTHER INVOLUNTARILY OR VOLUNTARILY WAS ENFRANCHISED PRIOR TO THE <i>INDIAN ACT, 1985</i> OR VOLUNTARILY GAVE UP MEMBERSHIP AFTER 1985.	<input type="checkbox"/> YES <input type="checkbox"/> NO	DATE OF ENFRANCHISEMENT (YYYYMMDDDD) ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL

38. FATHER <input type="checkbox"/> BIRTH <input type="checkbox"/> ADOPTIVE		
FATHER'S FAMILY NAME	FATHER'S GIVEN NAME(S)	
FATHER'S FAMILY NAME AT BIRTH (IF DIFFERENT FROM ABOVE)	FATHER'S TREATY NUMBER/STATUS CARD NUMBER (IF APPLICABLE)	
WAS/IS YOUR FATHER A MEMBER OF A FIRST NATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, WHICH FIRST NATION?
WAS/IS YOUR FATHER A DESCENDANT OF SOMEONE WHO RECEIVED LAND OR MONEY SCRIP?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW	IF YES, HOW WAS HE RELATED TO THIS PERSON?
FATHER'S BIRTHDAY (YYYYMMDD)	FATHER'S DATE OF DEATH (YYYYMMDD) (IF APPLICABLE)	
FATHER INVOLUNTARILY OR VOLUNTARILY WAS ENFRANCHISED PRIOR TO THE <i>INDIAN ACT, 1985</i> OR VOLUNTARILY GAVE UP MEMBERSHIP AFTER 1985.	<input type="checkbox"/> YES <input type="checkbox"/> NO	DATE OF ENFRANCHISEMENT (YYYYMMDDDD) ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

PARENT'S MARITAL STATUS WHEN YOU WERE BORN	<input type="checkbox"/> MARRIED <input type="checkbox"/> COMMON-LAW/ADULT INTERDEPENDENT PARTNER <input type="checkbox"/> NOT MARRIED
IF MARRIED, PARENT'S DATE OF MARRIAGE (YYYYMMDD)	
IF MARRIED, PARENT'S PLACE OF MARRIAGE (CITY/TOWN, PROVINCE)	

YOUR PATERNAL GRANDPARENT'S INFORMATION (YOUR FATHER'S PARENTS)

39. GRANDMOTHER (FATHER'S MOTHER)		
GRANDMOTHER FAMILY NAME	GRANDMOTHER GIVEN NAME(S)	GRANDMOTHER BIRTHDAY
GRANDMOTHER BIRTH FAMILY NAME	TREATY NUMBER/STATUS CARD NUMBER AT BIRTH (IF APPLICABLE)	FIRST NATION AT BIRTH (IF APPLICABLE)
GRANDMOTHER WAS ENFRANCHISED PRIOR TO THE <i>INDIAN ACT, 1985</i> OR VOLUNTARILY GAVE UP MEMBERSHIP.	<input type="checkbox"/> YES <input type="checkbox"/> NO	DATE (YYYYMMDD) ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL
WAS/IS YOUR GRANDMOTHER A DESCENDANT OF SOMEONE WHO RECEIVED LAND OR MONEY SCRIP?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW	IF YES, HOW WAS SHE RELATED TO THIS PERSON?

40. GRANDFATHER (FATHER'S FATHER)		
GRANDFATHER FAMILY NAME	GRANDFATHER GIVEN NAME(S)	GRANDFATHER BIRTHDAY
TREATY NUMBER/STATUS CARD NUMBER (IF APPLICABLE)	FIRST NATION AT BIRTH (IF APPLICABLE)	
GRANDFATHER WAS ENFRANCHISED PRIOR TO THE <i>INDIAN ACT, 1985</i> OR VOLUNTARILY GAVE UP MEMBERSHIP.	<input type="checkbox"/> YES <input type="checkbox"/> NO	DATE (YYYYMMDD) ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL
WAS/IS YOUR GRANDFATHER A DESCENDANT OF SOMEONE WHO RECEIVED LAND OR MONEY SCRIP?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW	IF YES, HOW WAS HE RELATED TO THIS PERSON?

YOUR MATERNAL GRANDPARENT'S INFORMATION (YOUR MOTHER'S PARENTS)

41. GRANDMOTHER (MOTHER'S MOTHER)		
GRANDMOTHER FAMILY NAME	GRANDMOTHER GIVEN NAME(S)	GRANDMOTHER BIRTHDAY
GRANDMOTHER BIRTH FAMILY NAME	TREATY NUMBER/STATUS CARD NUMBER AT BIRTH (IF APPLICABLE)	FIRST NATION AT BIRTH (IF APPLICABLE)
GRANDMOTHER WAS ENFRANCHISED PRIOR TO THE <i>INDIAN ACT, 1985</i> OR VOLUNTARILY GAVE UP MEMBERSHIP.	<input type="checkbox"/> YES <input type="checkbox"/> NO	DATE (YYYYMMDD) ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL
WAS/IS YOUR GRANDMOTHER A DESCENDANT OF SOMEONE WHO RECEIVED LAND OR MONEY SCRIP?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW	IF YES, HOW WAS SHE RELATED TO THIS PERSON?

42. GRANDFATHER (MOTHER'S FATHER)		
GRANDFATHER FAMILY NAME	GRANDFATHER GIVEN NAME(S)	GRANDFATHER BIRTHDAY

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

TREATY NUMBER/STATUS CARD NUMBER (IF APPLICABLE)	FIRST NATION AT BIRTH (IF APPLICABLE)	
GRANDFATHER WAS ENFRANCHISED PRIOR TO THE <i>INDIAN ACT, 1985</i> OR VOLUNTARILY GAVE UP MEMBERSHIP.	<input type="checkbox"/> YES <input type="checkbox"/> NO	DATE (YYYYMMDD) ORDER OF ENFRANCHISEMENT NUMBER ISSUED BY THE GOVERNOR IN COUNCIL
WAS/IS YOUR GRANDFATHER A DESCENDANT OF SOMEONE WHO RECEIVED LAND OR MONEY SCRIP?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> DON'T KNOW	IF YES, HOW WAS HE RELATED TO THIS PERSON?

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

43. DOCUMENTS
OWN BIRTH CERTIFICATE (REQUIRED) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
BIRTH MOTHER'S BIRTH CERTIFICATE (REQUIRED) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
BIRTH FATHER'S BIRTH CERTIFICATE (REQUIRED, IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
OWN GOVERNMENT-ISSUED TREATY REGISTRATION/STATUS CERTIFICATE (REQUIRED) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER
BIRTH MOTHER'S GOVERNMENT-ISSUED TREATY REGISTRATION/STATUS CERTIFICATE (REQUIRED, IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
BIRTH FATHER'S GOVERNMENT-ISSUED TREATY REGISTRATION/STATUS CERTIFICATE (REQUIRED, IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
OWN MARRIAGE CERTIFICATE (REQUIRED, IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
OWN ADOPTION CERTIFICATE (REQUIRED, IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
SPOUSE'S DEATH CERTIFICATE (REQUIRED, IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
BIRTH MOTHER AND FATHER MARRIAGE CERTIFICATE (REQUIRED, IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE
ORDER OF ENFRANCHISEMENT ISSUED BY THE GOVERNOR IN COUNCIL (IF APPLICABLE) <input type="checkbox"/> ATTACHED <input type="checkbox"/> TO BE PROVIDED LATER <input type="checkbox"/> UNAVAILABLE BECAUSE

44. APPLICATION FOR YOURSELF
I SOLEMNLY DECLARE THAT ALL STATEMENTS MADE IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND THAT ALL DOCUMENTS PROVIDED TO SUPPORT THIS APPLICATION ARE UNALTERED.
SIGNATURE

45. APPLICATION ON BEHALF OF A CHILD
I SOLEMNLY DECLARE THAT ALL STATEMENTS MADE IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND THAT ALL DOCUMENTS PROVIDED TO SUPPORT THIS APPLICATION ARE UNALTERED. I DECLARE THAT I AM THE PARENT OF THE CHILD ON WHOSE BEHALF THIS APPLICATION IS BEING MADE.
SIGNATURE

PLEASE NOTE THAT IT IS YOUR RESPONSIBILITY TO SUBMIT ALL REQUIRED INFORMATION IN THIS APPLICATION, INCLUDING ANY DOCUMENTATION YOU MARKED "TO BE PROVIDED LATER". IF CLARIFICATION OF ANY INFORMATION PROVIDED IN THIS APPLICATION IS NEEDED OR IF ADDITIONAL INFORMATION IS NECESSARY, YOU WILL BE CONTACTED.



SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)

BENEFICIARY APPLICATION FORM

APPENDIX I

Excerpts from Sawridge Band Intervivos Settlement (1985) Trust Deed

"WHEREAS the Settler desires to create an intervivos settlement for the benefit of the individuals who at the date of the execution of this Deed [April 15, 1985] are members of the Sawridge Indian Band No. 19..." [Trust Deed Preamble]

2. In this Settlement, the following terms shall be interpreted in accordance with the following rules:
 - (a) "Beneficiaries" at any particular time shall mean all persons who at that time qualify as members of the Sawridge Indian Band No. 19 pursuant to the provisions of the Indian Act R.S.C. 1970, Chapter I-6 as such provisions existed on the 15th day of April, 1982 and, in the event that such provisions are amended after the date of the execution of this Deed all persons who at such particular time would qualify for membership of the Sawridge Indian Band No. 19 pursuant to the said provisions as such provisions existed on the 15th day of April, 1982 and, for greater certainty, no persons who would not qualify as members of the Sawridge Indian Band No. 19 pursuant to the said provisions, as such provisions existed on the 15th day of April, 1982, shall be regarded as "Beneficiaries" for the purpose of this Settlement whether or not such persons become or are at any time considered to be members of the Sawridge Indian Band No. 19 for all or any other purposes by virtue of amendments to the Indian Act R. S. C. 1970, Chapter I-6 that may come into force at any time after the date of the execution of this Deed or by virtue of any other legislation enacted by the Parliament of Canada or by any province or by virtue of any regulation, Order in Council, treaty or executive act of the Government of Canada or any province or by any other means whatsoever; provided, for greater certainty, that any person who shall become enfranchised, become a member of another Indian band or in any manner voluntarily cease to be a member of the Sawridge Indian Band No 19 under the Indian Act R.S.C. 1970, Chapter I-6, as amended from time to time, or any consolidation thereof or successor legislation thereto shall thereupon cease to be a Beneficiary for all purposes of this Settlement;...

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

APPENDIX II

IMPORTANT NOTE: *The Trust Deed of the SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985) requires that all beneficiaries maintain eligibility under S.11 ("Persons entitled to be registered") of the Indian Act R.S.C 1970, c.I-6. A beneficiary will lose/would have lost beneficial status if and when he/she/they lose or would have lost status by virtue of S.12 of that 1970 Act ("Persons not entitled to be registered"). Questions on this form reflect information necessary for determination of meeting those Trust Deed/Indian Act requirements.*

Indian Act R.S.C 1970, c.I-6. Section 11 "Persons entitled to be registered"

11. (1) Subject to section 12, a person is entitled to be registered if that person
- (a) on the 26th day of May 1874 was, for the purposes of *An Act providing for the organization of the Department of the Secretary of State of Canada, and for the management of Indian and Ordnance Lands*, being chapter 42 of the Statutes of Canada, 1868, as amended by section 6 of chapter 6 of the Statutes of Canada, 1869, and section 8 of chapter 21 of the Statutes of Canada, 1874, considered to be entitled to hold, use or enjoy the lands and other immovable property belonging to or appropriated to the use of the various tribes, bands or bodies of Indians in Canada;
 - (b) is a member of a band
 - (i) for whose use and benefit, in common, lands have been set apart or since the 26th day of May 1874, have been agreed by treaty to be set apart, or
 - (ii) that has been declared by the Governor in Council to be a band for the purposes of this Act;
 - (c) is a male person who is a direct descendant in the male line of a male person described in paragraph (a) or (b);
 - (d) is the legitimate child of
 - (i) a male person described in paragraph (a) or (b), or
 - (ii) a person described in paragraph (c);
 - (e) is the illegitimate child of a female person described in paragraph (a), (b) or (d); or
 - (f) is the wife or widow of a person who is entitled to be registered by virtue of paragraph (a), (b), (c), (d) or (e).
- (2) Paragraph (1)(e) applies only to persons born after the 13th day of August 1956. R.S., c. 149, s. 11; 1956, c. 40, s.3.

Indian Act R.S.C 1970, c.I-6. Section 12 "Persons not entitled to be registered"

12. (1) The following persons are not entitled to be registered, namely,
- (a) a person who
 - (i) has received or has been allotted halfbreed lands or money scrip,
 - (ii) is a descendant of a person described in subparagraph (i),
 - (iii) is enfranchised, or
 - (iv) is a person born of a marriage entered into after the 4th day of September 1951 and has attained the age of twenty-one years, whose mother and whose father's mother are not persons described in paragraph 11(1)(a),(b) or (d) or entitled to be registered by virtue of paragraph 11(1)(e), unless, being a woman, that person is the wife or widow of a person described in section 11, and (b) a woman who married a person who is not an Indian, unless that woman is subsequently the wife or widow of a person described in section 11.
 - (2) The addition to a Band List of the name of an illegitimate child described in paragraph 11(1)(e) may be protested at any time within twelve months after the addition, and if upon the protest it is decided that the father of the child was not an Indian, the child is not entitled to be registered under that paragraph.
 - (3) The Minister may issue to any Indian to whom this Act ceases to apply, a certificate to that effect.
 - (4) Subparagraphs (1)(a) (i) and (ii) do not apply to a person who
 - (a) pursuant to this Act is registered as an Indian on the 13th day of August 1958, or
 - (b) is a descendant of a person described in paragraph (a) of this subsection.
 - (5) Subsection (2) applies only to persons born after the 13th day of August 1956. R.S., c. 149, s. 12; 1956, c. 40, ss. 3, 4; 1958, c. 19, s. 1.

SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)



BENEFICIARY APPLICATION FORM

Other relevant sections from Indian Act R.S.C 1970, c.I-6.

10. Where the name of a male person is included in, omitted from, added to or deleted from a Band List or a General List, the names of his wife and his minor children shall also be included, omitted, added or deleted, as the case may be. R.S., c. 149, s. 14.
14. A woman who is a member of a band ceases to be a member of that band if she marries a person who is not a member of that band, but if she marries a member of another band, she thereupon becomes a member of the band of which her husband is a member. 1951, c. 29, s. 14.

ENFRANCHISEMENT

109. (1) On the report of the Minister that an Indian has applied for enfranchisement and that in his opinion the Indian (a) is of the full age of twenty-one years, (b) is capable of assuming the duties and responsibilities of citizenship, and (c) when enfranchised, will be capable of supporting himself and his dependants, the Governor in Council may by order declare that the Indian and his wife and minor unmarried children are enfranchised.
- (2) On the report of the Minister that an Indian woman married a person who is not an Indian, the Governor in Council may by order declare that the woman is enfranchised as of the date of her marriage and, on the recommendation of the Minister, may by order declare that all or any of her children are enfranchised as of the date of the marriage or such other date as the order may specify.
- (3) Where, in the opinion of the Minister, the wife of an Indian is living apart from her husband, the names of his wife and his minor children who are living with the wife shall not be included in an order under subsection (1) that enfranchises the Indian, unless the wife has applied for enfranchisement, but where the Governor in Council is satisfied that such wife is no longer living apart from her husband, the Governor in Council may by order declare that the wife and the minor children are enfranchised.
- (4) A person is not enfranchised unless his name appears in an order of enfranchisement made by the Governor in Council. R.S., c. 149, s. 108; 1956, c. 40, s. 26.



SAWRIDGE BAND INTERVIVOS SETTLEMENT (1985)

BENEFICIARY APPLICATION FORM

APPENDIX III

References to 1985 Trust Deed and/or 1970 Indian Act Requirements Necessary for Determination of Beneficial Status

Application Question Number

9. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1) (b).*
10. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1) (f) and Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a).*
11. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1) (b) and Section 14.*
12. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a).*
13. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11.*
15. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1) (d).*
16. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1) (f).*
17. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a).*
18. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a).*
20. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 10 and Section 14.*
22. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 10.*
- 24(a). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 12(1)(b).*
- 24(b). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 12(1)(b).*
- 24(c). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 12(1)(b).*
- 24(d). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 109(1).*
- 24(e). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 109(1).*
- 24(f). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 109(1).*
- 24(g). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 109(1).*
- 24(h). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 10 and Section 14.*
- 24(i). *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a).*
25. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1)(f) and Section 10.*
26. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1)(d) and Section 10.*
27. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 12(1)(b).*
28. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1)(d).*
30. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a).*
31. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a); and Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 10.*
32. *Sawridge Band Inter Vivos Settlement Declaration of Trust (Trust Deed) Section 2(a).*
33. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 12(1)(a)(iv).*
34. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 12(1)(a)(iv).*
35. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 12(1)(a)(i) and (ii).*
36. *Indian Act R.S.C 1970, c.I-6 as it existed on April 15, 1982, Section 11(1)(c).*

IN THE COURT OF APPEAL OF ALBERTA

Court File No.: 2503-0193AC

BETWEEN:

DR. JONATHON POTSKIN (Applicant/Appellant)

- and -

ROLAND TWINN et al. (Respondents)

FACTUM OF THE APPLICANT

I. INTRODUCTION

1. This application seeks to rectify the administration of the Sawridge Trusts. These are not private, discretionary trusts, but are *sui generis* communal trusts derived from the collective assets of the Sawridge First Nation. The 1985 trust modifications were an *ultra vires* act that intentionally disenfranchised a generation of Sawridge women and their children. The current administration maintains an accountability vacuum through a convergence of corporate, legal, and trust power, systemic non-disclosure, and administrative bad faith.

II. STATEMENT OF FACTS

2. **Communal Property Origin:** The assets forming the 1985 Trust originated from the Sawridge First Nation's Capital and Revenue Account. These funds were not the private property of any individual; they were already vested in the 1982 beneficiary class via the 1982 Trust Deed. By "moving" these assets in 1985, the Trustees unilaterally re-assigned communal wealth without consent.
3. **Intentional Exclusion:** The Respondents formally admitted in their January 8, 2026, Factum (para 45) that the "primary objective" of the 1985 modification was the "intentional exclusion of beneficiaries." This exclusion specifically targeted women married to non-members and their children.
4. **Structural Convergence & The Accountability Vacuum:** The administration operates through a "unified governance" system:
 - o **Political and Fiduciary Convergence:** Roland Twinn served as Chief of the Sawridge First Nation (2003–2021) while simultaneously serving as a Trustee of the Sawridge Trusts, conflating political leadership with trust management.
 - o **Unified Governance:** Paul Bujold holds dual capacity as CEO of the Trusts and Board member, centralizing policy, executive execution, and administrative bottlenecks.
 - o **Conflict and Litigation:** Former legal counsel to the Nation (until 2011) and former Trustee Catherine Twinn is currently pursuing a \$5 million claim against the Trusts. Her involvement—as former advisor, former decision-maker, and

current active litigant—creates an irreconcilable conflict that insulates the Trusts from independent scrutiny.

- **Familial Nexus:** The current Chief and a majority of the Council are children of Catherine Twinn, ensuring that the political leadership of the Nation and the historical leadership of the Trusts are functionally a single family unit.

5. **Administrative Bad Faith:**

- **Pattern of Non-Disclosure:** For 17 years, the Trustees have failed to fulfill the transparency commitment made in March 2009 by Judie Bopp .
- **Administrative Coercion:** On May 6, 2026, CEO Paul Bujold compelled the Applicant to sign the 1985 Beneficiary Application Form under the explicit threat that failure to do so constitutes "preferential treatment".
- **Performance Failure:** Mr. Bujold, serving as CEO/Administrator, has maintained a "bottleneck" administration. He has signaled resignation for years while retaining executive-level compensation and providing slow, part-time service, prioritizing corporate interests over fiduciary obligations .
- **Institutional Conflict of Interest:** The administration's failure to maintain separation between political leadership and the Trusts is underscored by the current \$5 million litigation against the Trusts initiated by a former decision-maker. This creates an irreconcilable conflict, where the Trusts are effectively litigating against the interests of their own former leadership while simultaneously insulating these actions from independent, beneficiary-led scrutiny.

III. GROUNDS FOR APPEAL

1. **Ultra Vires Modification:** The 1985 trust modifications were an *ultra vires* seizure of communal assets already vested in the 1982 beneficiary class.
2. **Breach of Fiduciary Duty:** The Board's "unified governance" model (merging the CEO/Board roles and familial/political overlap) constitutes a systemic conflict of interest and an accountability vacuum.
3. **Equitable Failure:** The systematic exclusion of a majority-female demographic, intended as a mechanism of cultural erasure, is contrary to the equitable administration of communal Indigenous assets.

IV. LAW AND ARGUMENT

A. The "Private Trust" Fiction The Respondents' defense relies on a legal fiction that the Sawridge Trusts are private entities. This is contradicted by the source of the assets—the Nation's communal Capital and Revenue Account. The 1982 Deed was a formal assignment of collective rights. The 1985 modification was an unauthorized re-assignment of vested communal assets.

B. The Accountability Vacuum The Respondents cannot claim "no legal or financial connection" to the Nation while simultaneously utilizing the *Indian Act* to define their beneficiaries. This is a strategic loophole. By consolidating the roles of political leadership (Roland Twinn), executive administration (Paul Bujold), and legal/insider influence (Catherine

Twinn), the Respondents have removed the independent checks and balances required for the prudent management of communal wealth.

C. Systemic Disenfranchisement

The Respondents' admission of "intentional exclusion" of women and children from the communal inheritance is the bedrock of this appeal. Courts of equity do not tolerate discriminatory trust foundations that serve as mechanisms for systemic erasure. The administrative failures—the 17-year delay on transparency, the coerced signatures, and the executive's performance failures—are symptoms of an administration that has abandoned its fiduciary duty to the beneficiaries.

V. RELIEF SOUGHT

The Applicant respectfully requests:

1. An Order declaring the 1985 modifications invalid and *ultra vires*.
2. An Order directing a reversion to the 1982 foundational class of beneficiaries.
3. The relief sought is not an immediate liquidation or redistribution of assets, but rather a curative intervention to restore the transparency, accountability, and fiduciary standards necessary for the equitable administration of the Trust in the interest of all beneficiaries.
4. Such further and other relief as this Honourable Court deems just.

VI. NECESSITY OF ONGOING SUPERVISION.

1. Without structural oversight, the current administrative framework remains susceptible to the same 'bad faith' practices that necessitated this application. Declaratory relief alone is insufficient to cure the systemic lack of transparency; prospective, court-mandated administrative safeguards are required to protect the integrity of the Trust.