

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF :

WILLIAM A. ENGE, ROBERT SHOLTO DOUGLAS,
and WILLIAM A. ENGE, as a representative
of that class of individuals who were
expelled from membership in the Defendant,
North Slave Metis Alliance

Plaintiffs

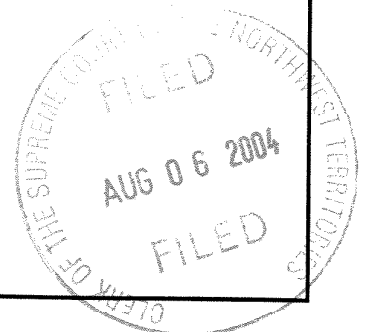
- and -

NORTH SLAVE METIS ALLIANCE
Defendant

Transcript of the Oral Decision delivered by The Honourable
Justice J.E. Richard, sitting in Yellowknife, in the
Northwest Territories, on the 23rd day of July, A.D. 2004.

APPEARANCES :

Mr. C. McGee: Counsel for the Plaintiffs
Ms. C. Levy: Counsel for the Defendant



1 THE COURT: It is regrettable that the
2 parties to this litigation are again back before the
3 Court on straightforward, simple issues which were
4 left to the parties to resolve after the last court
5 hearing on June 22nd. This is not a proud day for the
6 Metis people or this Metis organization.

7 Financial resources of the Metis people and this
8 Metis organization are being consumed unnecessarily by
9 infighting on straightforward issues. Each leader and
10 would-be leader of this Metis organization should
11 reflect on his or her own responsibility for this
12 present sad state of affairs and how he or she will
13 conduct himself or herself in the weeks and months
14 that follow today's proceedings. To be frank, in my
15 view, today's proceedings do not bode well for the
16 assembly and the election to come and for the very
17 future of this organization.

18 It seems that this organization is on the path to
19 self-destruction, and each leader and would-be leader
20 of this organization should reflect on what part he or
21 she is now or will be playing in that
22 self-destruction. However, the Court will attempt to
23 do its part to salvage this organization.

24 The immediate issues that are before the Court
25 are straightforward issues, and I will now give a
26 decision on each of those issues. Before doing so, on
27 the matter of costs of today's proceedings, I will

1 simply state that, in my view, today's application
2 before the Court to determine these simple issues
3 should not have been necessary and, accordingly, each
4 party will be responsible for their own costs of
5 today's application, in any event, of the cause.

6 So an order will issue as follows:

- 7 1. Pursuant to paragraph 5 of the Court's Order of
8 June 22nd, 2004, as the parties have failed to reach
9 agreement on the identity of an impartial third party
10 to act as chairperson for the Annual General Assembly
11 and Returning Officer for the conduct of the election,
12 the Court hereby names David Hamilton as the impartial
13 third party to carry out those responsibilities. Mr.
14 Hamilton will establish such rules and procedures as
15 he considers necessary for the fair and impartial
16 conduct of the assembly and the election consistent
17 with the constitution and by-laws of the organization
18 and previous orders of this Court. 2. All costs
19 associated with the conduct of the Annual General
20 Assembly and election of directors, including all
21 costs of the chairperson and the Returning Officer,
22 are to be paid by the defendant Alliance.
- 23 3. It is hereby ordered that the Annual General
24 Assembly, referred to in paragraph 4 of the Court's
25 Order of June 22nd, '04, shall take place on Saturday,
26 August 28th, in Yellowknife.
- 27 4. On the understanding that the old Fort Rae

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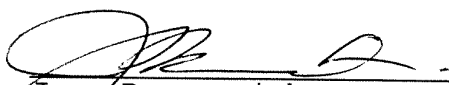
gathering scheduled for August 6 to 8, '04, is a social gathering of Metis people and that no business of the defendant organization by way of reports of the executive or otherwise will be conducted, the relief sought in paragraph 5 of the Plaintiff's Notice of Motion is denied.

5. There shall be no costs payable to either party as a result of today's application.

Now, that is the Court's order. I wish the parties well. Close court.

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Certified to be a true and accurate transcript, pursuant to Rules 723 and 724 of the Supreme Court Rules of Court


Jane Romanowich,
Court Reporter