

JAN 20 2012



S-120466

No.
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

RE: SECTION 85 OF THE *SOCIETY ACT*

GITXSAN TREATY SOCIETY

PETITIONER

PETITION TO THE COURT

ON NOTICE TO: See Appendix "B"

This proceeding has been started by the petitioner for the relief set out in Part 1 below.

If you intend to respond to this petition, you or your lawyer must

- (a) file a response to petition in Form 67 in the above-named registry of this court within the time for response to petition described below, and
- (b) serve on the petitioner
 - (i) 2 copies of the filed response to petition, and
 - (ii) 2 copies of each filed affidavit on which you intend to rely at the hearing.

Orders, including orders granting the relief claimed, may be made against you, without any further notice to you, if you fail to file the response to petition within the time for response.

Time for response to petition

A response to petition must be filed and served on the petitioner,

- (a) if you were served with the petition anywhere in Canada, within 21 days after that service,
- (b) if you were served with the petition anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the petition anywhere else, within 49 days after that service, or, and
- (d) if the time for response has been set by order of the court, within that time.

(1)	<p>The address of the registry is: The Law Courts 800 Smithe Street Vancouver, British Columbia V6Z 2E1</p>
(2)	<p>The ADDRESS FOR SERVICE of the petitioner is: Bull, Housser & Tupper LLP 3000 - 1055 West Georgia Street Vancouver, British Columbia V6E 3R3</p> <p>Fax number address for service of the petitioner: (604) 641-4803</p> <p>E-mail address for service (if any) of the petitioner: N/A.</p>
(3)	<p>The name and office address of the petitioner's lawyer is: Bull, Housser & Tupper LLP 3000 - 1055 West Georgia Street Vancouver, British Columbia V6E 3R3 Attention: Jana McLean</p>

CLAIM OF THE PETITIONER

Part 1: ORDERS SOUGHT

1. The GTS hold an extraordinary general meeting within 30 days of this court order (the "EGM") for the purpose of appointing directors.
2. For the purpose of the EGM only, voting members of the GTS are all Gitxsan Hereditary Chiefs who are head of a Gitxsan house and other persons who were members before this Order (the "Members").
3. Mr. James Angus or another person named by the court (the "Meeting Organizer") is authorized and directed to organize the EGM, and must send a meeting notice to the Members stating the time and place of the meeting, no later than 14 days from the date of this court order.
4. Within 21 days of this court order, anyone wishing to stand for appointment as a director of the GTS must provide written notice to that effect to the Meeting Organizer.
5. The Meeting Organizer will provide a list of candidates to the Members at the start of the EGM.
6. Members will appoint 12 directors at the EGM, with equal representation from each of the four Gitxsan Pdeek (Clans), if possible.

Part 2: FACTUAL BASIS

Introduction

1. The GTS is a society incorporated under BC's *Society Act*, RSBC 1996, c. 433.

Affidavit #1 of Gordon Sebastian,
made 20/Jan /12, Exhibit "A".

2. In or about December 2010 – January 2011, the current directors of GTS were appointed by their respective Gitxsan Pdeek¹ (Clans), in a manner that complied with the GTS Bylaws (the "Bylaws"). .

Affidavit of Gordon Sebastian, made
20/Jan/12, paras. 6 – 7.

3. After the directors' appointment, in March 2011, the BC Court of Appeal held that only members of a society may appoint directors.

*Kwantlen University College Student Association v.
Canadian Federation of Students – BC Component,
2011 BCCA 133 ("Kwantlen")*.

4. As a consequence of the *Kwantlen* decision, the GTS seeks this court's assistance in remedying a potential defect in its Bylaws. More specifically, the GTS seeks the court's assistance in resolving how directors may be appointed, at least on an interim basis, so that the GTS can fulfill its mandate with legal certainty. Any resolution of this question must respect not only the provincial *Society Act*, but also Ayookim Gitxsan (Gitxsan law).

Gitxsan Governance

5. From the GTS' inception, the Gitxsan Nation's governance system has informed the GTS' structure, nature and practices. It is therefore important to understand Gitxsan governance structures in evaluating the conduct of the GTS and in reconciling any defect found to exist in the Bylaws.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 30 – 37 and 39 – 44.

¹ Throughout the petition, some Gitxsan terms are used, with the English translation appearing in parenthesis after the Gitxsan term, the first time the term is used. Appendix "A" to this petition also sets out the English translation of all Gitxsan terms used herein.

6. A fundamental underpinning of Gitxsan society and culture is Ayookim Gitxsan (Gitxsan laws). Ayookim Gitxsan are ancient laws that dictate the conduct of Gitxsan, which have never been ceded and which still apply today. Ayookim Gitxsan dictates many aspects of Gitxsan life, including wisdom, inheritance, marriage, adoption, access to and use of property, trespass, injury and redress of injury. Ayookim Gitxsan also dictates Gitxsan governance structures, which are built upon the Gitxsan Huwilp (Houses) and Simgiigyey (Hereditary Chiefs).

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 7, 11 and 18.

7. The Gitxsan Nation is organized communally along matrilineal lines, with each Gitxsan person belonging a Wilp (House). The Wilp is the central governance unit of the Gitxsan Nation, consisting of an extended family group based on matrilineal blood-lines and rank. The place of the Wilp in Gitxsan society cannot be overstated. From birth, Gitxsan are taught that everything revolves around the Wilp, which provides security and comfort to its members. The primacy of the Wilp is emphasized in the Li'ligit, which is a feasting ceremony in which one witnesses the fullness of being Gitxsan through a protocol that publicly declares Wilp business in the presence of all who attend.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, paras. 9 and 11;
see also paras. 13 - 15.

8. In addition to the Wilp, the Gitxsan have four Pdeek (Clans): Lax Seel/Ganeda (Frog); Lax Gibuu (Wolf), Lax Skiik (Eagle) and Giskaast (Fireweed). Each Pdeek contains a number of Gitxsan Huwilp (Houses).

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 10.

9. In accordance with Ayookim Gitxsan, each Gitxsan Wilp has a number of Simgiigyey (Hereditary Chiefs), including typically one head chief and a number of wing chiefs. The Gitxsan Simgiigyey are the leaders of their respective Huwilp (Houses), and consequently also leaders of the Gitxsan Nation.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 17.

10. The blood-lines of the family groups are critical to determining who becomes a Simogyat (Hereditary Chief) of a Wilp. The Gitxsan have a process for recognizing new Simgiigyey

in accordance with those blood-lines which culminates in confirmation of a Simogyat's position at the Li'ligit (feast hall).

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 18.

11. According to Ayookim Gitxsan, the Simgiigyets are responsible for controlling and managing their Wilp's resources, including its Lax Yip (territory), on behalf of all Wilp members. Although ownership of the Lax Yip and other resources vests in the Simgiigyets, they hold the land and other resources on behalf of their respective Huwilp.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 14.

12. Together, the Lax Yip of all the Gitxsan Huwilp makes up the 33,000 km² of traditional territory held by the Gitxsan Nation. This area of land is claimed in BC treaty negotiations, and in all negotiations with the Crown.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 20.

13. For decades now, the Gitxsan Simgiigyets have asserted and sought external recognition of their governance structures. The Simgiigyets have been proactive in asserting their aboriginal rights, including title, including as plaintiffs in *Delgamuukw v. British Columbia*, [1997] 3 SCR 1010 ("*Delgamuukw*"), and petitioners in *Gitxsan and other First Nations v. BC (Minister of Forest)*, 2002 BCSC 1701 ("*Ya!*"). They also have engaged in the BCTC treaty process, and in bilateral negotiations with the Province on various issues, including forestry development.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, paras. 20 – 29.

Gitxsan and GTS Engagement in BC Treaty Process:

14. In 1994, approximately sixty Gitxsan Simgiigyets decided to engage in the BC treaty process, and negotiate with the federal and provincial governments on behalf and with the support of their respective Huwilp.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 22.

15. At that time, the Simgiigyet relied on the Office of the Hereditary Chiefs of the Gitxsan for administrative support. They also established the Chiefs' Advisory Team, which consisted of thirteen Gitxsan Simgiigyet with oversight responsibilities, particularly in relation to BCTC funding.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 23.

16. From the outset of treaty negotiations, the Simgiigyet made collective decisions through a consensus-building process which included reliance on the Chiefs' Meetings, which are known as the Gimlitzwit.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 24.

17. Despite having these Gitxsan-based governance structures in place, at the outset of BC treaty negotiations, the Crown required the Simgiigyet to incorporate a society to be eligible for treaty funding. The Simgiigyet formed the GTS under the *Society Act* for that purpose, and mandated the GTS to receive treaty funding on their behalf. The original intention of the incorporators was that the GTS would serve a limited purpose, and act as a vehicle for receipt of treaty funding only, thereby facilitating the Simgiigyet's negotiation with the Crown, based on their own internal governance system.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, paras. 30 – 37.

Members of the GTS

18. The GTS' first members were its applicants for incorporation and the same Simgiigyet that formed the Chiefs' Advisory Team ("CAT"), being: Gordon Sebastian; Alvin Weget; Vernon Milton; Beverly Anderson; Art Wilson; Roy Wilson Jr.; Francis Sampson; Calvin Hyzims; Peter Turley; Art Loring; Myrtle Goertzen (now deceased); Gertrude Watson (now deceased) and Henry Tait (now deceased). Each of these individuals, unless deceased, remains a member of the GTS. All but Beverly Anderson and Art Loring are also head Simgiigyet of their respective Wilp, and those two individuals are wing chiefs.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, Exhibit "A";

Affidavit #1 of Barb Huson, made 18/Jan/12,
Exhibit "A";

Affidavit #1 of Gordon Sebastian,
made 20/Jan/12, para. 14.

19. In 2002, additional persons also may have applied for or become GTS members, although the GTS does not have any records to confirm that those applications were received or accepted, according to its Bylaws. Therefore, it is unclear whether any new members were accepted that year. To the best of GTS' knowledge to date, the individuals who potentially became members in 2002 are all or some of: James Angus; Barb Clifton; Robert Fritzsche; Merle Green; Alvin Hyzims; Terence Jack; Aubrey Jackson; Wilmer Johnson; Art Matthews; Sadie Mowatt; Ted Mowatt; Beatrice Rabocz; and Vernon Smith. Most of these individuals are Simgiigyet.

Affidavit #1 of Gordon Sebastian
made 20/Jan/12, paras. 9-11.

Directors of the GTS

20. The original CAT and GTS' first members were the GTS' only directors until October 5, 2001, with the exception of William Star who became a director in 1997. Not of these individuals were directors at the same time, or for the same length of time.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, Exhibit "A";

Affidavit of Gordon Sebastian,
made 20/Jan/12, Exhibit "B".

21. The fact that the Simgiigyet on the CAT became (and remained for some time) the GTS members and directors reflected the understanding of the founding Simgiigyet that the society was necessary to serve as an intermediary entity with a more easily recognized legal status than the Simgiigyet for many of the treaty-related transactions with the Crown. The Simgiigyet were and remain of the view that the GTS does not replace their form of government and cannot stand in the shoes of the Simgiigyet. It is merely a tool that is necessary for the Simgiigyet to engage in negotiations with the Crown about their outstanding claim to aboriginal rights, including title on their territory.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, paras. 23, 30-35.

22. The GTS cannot and did not replace the Simgiigyet as governors of the Gitxsan Nation.

23. The current directors were appointed in or about December 2010 – January 2011 by the four Gitxsan Pdeek, in compliance with GTS Bylaws. The appointment method for each Pdeek chose varied, but was based on the Gitxsan Ayookim and respecting the Huwilp and Simgiigyat system of governance.

Affidavit #1 of Gordon Sebastian,
made 20 Jan 2012, paras. 6 – 7;

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, para. 37

24. The Pdeek's role in appointing directors has never been challenged by any Simgiigyat or other Gitxsan person, not even in the *Spookw* litigation where the GTS is under scrutiny for alleged behaviour that the plaintiffs say constitutes oppression under the *Society Act*.

Affidavit #1 of Gordon Sebastian,
made 20 Jan 2012, para. 5.

Gimlitzwit Meeting on January 18, 2012

25. On January 17, 2012, approximately 50 Simgiigyat attended a Gimlitzwit to discuss the court's recent suggestion that the GTS Board of Directors may not be properly constituted because the Pdeek appointment process may violate the *Society Act*. The Simgiigyat also discussed recent controversies associated with the signing of the Enbridge Aboriginal Ownership Agreement, including recent public attacks on the GTS and the ongoing blockade of the GTS' office building.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, paras. 39 – 44;

Affidavit #2 of Barb Huson, made 18/Jan/12,
Exhibit "A";

Affidavit #1 of Gordon Sebastian,
made 20 Jan 2012, paras. 12 – 13.

26. After a lengthy discussion, the Simgiigyat passed a resolution to strengthen the GTS (45 in favour, 3 opposed) as follows:

1. The Gitxsan Simgiigyat (Hereditary Chiefs) agree that the Gitxsan Treaty Society Constitution and Bylaws be amended so:
 - (a) The Simogyat (Head Chief) for each of the Gitxsan Huwilp (Gitxsan Houses) become the members of the Gitxsan Treaty Society; and

(b) The Simgiigyet who are members will appoint the directors of the Gitxsan Treaty Society, with each of the four (4) Clans being entitled to three (3) directors appointed by the Simgiigyet from those Clans.

2. The current Board of Directors of the Gitxsan Treaty Society have authority to fulfil this task.

27. At the meeting, the Simgiigyet were distressed at any suggestion that someone other than the Simgiigyet would have ultimate say about who sits on the GTS Board of Directors. The common understanding was that the Simgiigyet have ultimate authority in the Gitxsan Nation to make that decision.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, paras. 39 – 44;

Affidavit #2 of Barb Huson, made 18/Jan/12,
para. 6.

Part 3: LEGAL BASIS

Threshold Question: Do the GTS Bylaws Violate the *Society Act*?

1. Before exercising its remedial powers under section 85 of the *Society Act*, RSBC 1996, c. 433, this court must find “omissions, defects, errors or irregularities” in a society’s operations or conduct. The question before the court in this case is whether s. 26 of the Bylaws offends s. 24 of the *Society Act*, resulting in an omission, defect, error or irregularity that requires redress under section 85.
2. Section 24(1) of the *Society Act* states that “[t]he members of a society may, in accordance with the bylaws, nominate, elect or appoint directors.” Section 26 of the GTS Bylaws says that Gitxsan Pdeek appoint GTS directors as follows:

26(1) At each annual general meeting of the society, those directors whose term of office has expired, as specified by their Pdeek at the time of their appointment, shall retire, and their successor shall be appointed.

(2) For the year 2001 appointment, each Pdeek will appoint an equal number and no more than 3 directors, and will specify their respective terms of office as one, two, or three years. For the year 2002 and subsequent appointments, each director appointed by a Pdeek will serve for a 3 year term. No director for any Pdeek will serve for more than 6 years.

3. Despite the language of s. 24(1) of the *Society Act*, the law has been uncertain for some time as to whether an outside group may participate in the selection of a society's directors. In at least some cases, the courts have affirmed such structures. In the case of the GTS, its Bylaws also were accepted by the Registrar at a time when the Registrar was statutorily responsible for approving a society's bylaws before registration.

Society Act, RSBC 1996, c. 43, s. 3(1)
(since amended)

4. Moreover, the bylaws of many societies in British Columbia allow for an outside appointment of one or more directors. This practice is based on the concept that the members may express through the bylaws how that they accept this method of appointing directors.
5. In 2004, the BC Court of Appeal held that a society's bylaw which gave non-member organizations the power to select directors did not offend the *Society Act*. The court found that s. 6(1)(e) and 24(1) of the *Society Act* permitted "the determination of directors in an indirect manner" such as the selection of directors by outside organizations which themselves contained some members: *Lee v. Lee's Benevolent Assoc. of Canada*, 2004 BCCA 168, para. 15.
6. In 2011, however, the BC Court of Appeal in *Kwantlen* stated that the practice of having non-member organizations appoint a society's directors is a violation of s. 24 of the *Society Act*. The court held it was "essential... that directors be selected in a manner set out in the society's bylaws, which must place the selection of directors in the hands of members of the society"(para. 43). In so doing, the Court of Appeal also described its earlier *Lee's Benevolent* decision as involving a situation in which "[s]ome directors may be selected by particular parts of the society's membership..."
7. Based on the decision in *Kwantlen* and the language contained in s. 24(1), it now appears that section 26 of the Bylaws may violate the *Society Act*, insofar as it states that the Gitxsan Pdeek appoint GTS Directors. Pdeek are not GTS members, although each of the GTS members are members of one of the four Pdeek.

Application of s. 85 of the Society Act:

8. If this court concludes there is an “omission, defect, error or irregularity” in the conduct of the GTS’ affairs, it may exercise its remedial powers under section 85 of the *Society Act* to:

- “rectify or cause to be rectified or to negate or modify or cause to be modified the consequences in law of the omission, defect, error or irregularity”; or
- “validate an act, matter or thing rendered or alleged to have been rendered invalid by or as a result of the omission, defect, error or irregularity”.

Society Act, RSBC 1996, c. 433, s. 85(1).

9. Before making an order under s. 85, the court must consider its effect on the society and its directors, officers, members and creditors.

Society Act, RSBC 1996, c. 433, s. 85(2).

10. The court’s powers are further constrained under s. 85. The BC Court of Appeal has said that the court may not alter or impose bylaws on a society. The power to amend a society’s bylaws rests solely with a society’s members, by way of special resolution. The inability of the court to alter a society’s bylaws on a s. 85 application aligns with the long-standing legal principle that the court should interfere in a society’s affairs as little as possible. However, if there has been “a muddle” in the drafting of the bylaws and an unwillingness on the part of somebody with the power to call a meeting to address the problem, a court may order the holding of a meeting and give directions for those who have a right to be heard at that meeting.

Erickson v. Luggi, 2004 BCCA 52, paras. 5 – 7.

Hong v. Young Kwang Presbyterian Church,
2007 BCCA 544, para. 7.

11. The court also has recognized, in applying s. 85, that it is important to “craft decisions that are most in line with existing bylaws of the Society”, giving effect to the “underlying basis” of those bylaws.

B’nai Brith Canada v. Deslauriers,
2011 BCSC 322, paras. 26 – 31.

12. The challenge before this court, therefore is to fashion a remedy under s. 85 of the *Society Act* that serves the society's purpose and structure, as set out in the existing Bylaws. That objective requires a close reading of the Bylaws, with an understanding of the Gitxsan governance system.
13. Section 26 of the GTS Bylaws empowers the Pdeek to appoint directors. Given the Court's ruling in *Kwantlen*, section 26 may not conform to section 24 of the *Society Act*, because the Pdeek are not members. In considering how to remedy that apparent defect in the Bylaws and therefore GTS practice, it is important that the court identify a solution that would sustain the will of the drafters, so as to limit the court's interference with the GTS Bylaws to restore compliance with the *Society Act*.

Affidavit #1 of Wii Elaast (James Angus),
made 18/Jan/12, Exhibit "B"

14. The intention of section 26 is twofold:
- (a) ensure each of the four Pdeek has equal representation on the GTS Board and therefore reflect Gitxsan governance structures; and
 - (b) remove the power to select directors from the GTS members, who according to section 4 of the Bylaws could potentially be every member of a Gitxsan Wilp.
15. One of the objectives of s. 26 was to align the appointment of directors with the Gitxsan traditional system of governance based on the Simgiigyets authority to act on behalf of the Wilp. The granting of equal representation to the four Pdeek offered a balanced representation among the house groups.
16. The solution, therefore, does not lie in granting all members of all Huwilp a right to vote on who sits on the GTS Board. To do so would be to ignore one of the intentions of the drafters, which expressly removed that right from Huwilp members. Nor does the solution lie in deeming Pdeek to be members of the society. As unincorporated entities, Pdeek have no status at law other than their individual members.
17. How then to give effect to the Bylaws in a manner that does justice to their intention? For the purposes of the next extraordinary general meeting ("EGM"), the solution is to recognize the role of Simgiigyets in the Gitxsan Nation. The Simgiigyets have played a key role in Pdeek appointments of directors to date and are the recognized entity from

within the Gitxsan with the power to make important decisions on matters that effect the Nation.

- 18. Deeming Simgiigyey (Hereditary Chiefs) to be the members for the purpose of the next EGM, in the context of these Bylaws, constitutes minimal interference in the society's internal affairs, and puts in place a system of governance for the GTS, which most closely approximates what the members chose to do in drafting sections 4 and 26. This approach also aligns with the recently expressed consensus of the Simgiigyey following a meeting to discuss the very issue of how directors should be appointed. Finally, it has the benefit of respecting Gitxsan governance structures that recognize the Simgiigyey as the leaders and representatives of their respective Huwilp, with responsibility for and to their Wilp members.

Part 4: MATERIALS TO BE RELIED ON

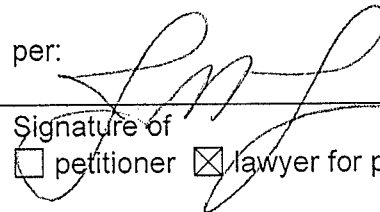
- 1. Affidavit #1 of Wii Elaast (James Angus), made 18 January 2012;
- 2. Affidavit #1 of Barb Huson, made 18 January 2012; and
- 3. Affidavit #1 of Gordon Sebastian, made 20 January 2012.

The petitioner estimates that the hearing of the petition will take 2 days.

Date: 20/JAN/2012

Bull, Housser & Tupper LLP

per:



Signature of
 petitioner lawyer for petitioner

Jana McLean

To be completed by the court only:

Order made

- in the terms requested in paragraphs _____ of Part 1 of this petition
- with the following variations and additional terms:

Date: _____

Signature of Judge Master

APPENDIX "A"
ENGLISH TRANSLATION OF GITXSAN TERMS

This Appendix provides the English translation of all Gitxsan terms used in this pleading.

	GITXSAN	ENGLISH
A	Ayookim Gitxsan	Gitxsan laws
H	Huwilp	Houses
L	Lax Yip Li'ligit	Territory or territories feast hall
N	Niidihl	Opposite clan in community
P	Pdeek	Clan
S	Simgiigyat Simogyat	Hereditary Chiefs Hereditary Chief
W	Wilp	House

APPENDIX "B"

Notice of this Petition will be served on the following:

Head Gitxsan Simgliiyet (Hereditary Chiefs)
c/o Barb Huson, Gimitxwit Coordinator
1650 Omineca St.
Hazelton, BC V0J 1Y0

James Angus
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Anita Davis
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Terrace, BC V8G 4L8

Marjorie Quock
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Kitwanga, BC V0J 2A0

Darlene Howard
836 Sunset Ave.
Gitsegukla BC V0J 2J3

Vernon Smith
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Kitwanga, BC V0J 2A0

Lucille Stoney
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John Olson
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Alvin Hyzims
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Linda Williams
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John Olson
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Charlie Muldon
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V0J 1Y0

Sandra Olson
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Gitanmaax, BC V0J 1Y2

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Alvin Weget
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Kispiox, BC V0J 1Y4

Vernon Milton
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Beverly Anderson
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Art Wilson
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Kispiox BC V0J 1Y4

Roy Wilson Jr.
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Francis Sampson
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Art Loring
c/o Art Matthews
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Hazelton, BC V0J 1Y0

Vernon Smith
c/o Art Matthews
1650 Omineca St.
Hazelton, BC V0J 1Y0

Ted Mowatt
c/o Art Matthews
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Hazelton, BC V0J 1Y0

Robert Fritzsche
c/o Art Matthews
1650 Omineca St.
Hazelton, BC V0J 1Y0

Merle Green
c/o Art Matthews
1650 Omineca St.
Hazelton, BC V0J 1Y0

Terence Jack
c/o Art Matthews
1650 Omineca St.
Hazelton, BC V0J 1Y0

Aubrey Jackson
c/o Art Matthews
1650 Omineca St.
Hazelton, BC V0J 1Y0

Wilmer Johnson
c/o Art Matthews
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Hazelton, BC V0J 1Y0

Art Matthews
c/o Art Matthews
1650 Omineca St.
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Sadie Mowatt
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v. Gitxsan Treaty Society et al.
c/o Mary Macaulay, Counsel for Plaintiffs
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Her Majesty the Queen in Right of the Province of
British Columbia
c/o: Keith Phillips, Counsel in *Spookw et al.*
v. Gitxsan Treaty Society et al.
Fax: 250-387-0343
BC Treaty Commission
c/o Roy Millen, Blakes Cassels & Graydon LLP
(counsel in *Spookw et al. v. Gitxsan Treaty*
Society et al.)
#2600 - 595 Burrard Street
Vancouver, BC V7X 1L3

No. _____
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

RE: SECTION 85 OF THE *SOCIETY ACT*

GITXSAN TREATY SOCIETY

PETITIONER

PETITION

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