

November 17, 2022

Reply to: BEAU ATKINS  
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**THUNDERCHILD FIRST NATION**

P.O. Box 600  
Turtleford, SK S0M 2Y0

**Via Fax: 306-845-3230**

**Attention: Chief, Councillors and Mr. Miguel de Freitas**

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Dear Chief, Councillors and Mr. de Freitas:

**RE: Senepan Thunder v. Melvina Jimmy, Chief Electoral Officer**

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I am writing to you on behalf of the members of the Appeal Tribunal for Thunderchild First Nation in regards to the above noted applications received by the Tribunal in the last few weeks.

Sections 9.03 and 9.04 grant the Appeal Tribunal absolute discretion in determining the procedure followed in a Hearing and require best efforts to "schedule and group cases together so as to minimize travel expenses and maximize the efficiency of the operation of the Appeal Tribunal." The members of the Panel will be Lyle Bouvier, Raquel Fraser, and myself and the administrative assistant will be Olena Trokhymchuk.

We have scheduled Wednesday, November 23, 2022 at 1:00 pm to hold a conference call to discuss filing deadlines and the hearing process. Notice will be sent out today to the parties, including all of the materials received with proofs of service. It is anticipated the hearing will occur virtually given the pandemic.

I also note that this will be a public hearing. Accordingly, notice should be posted at the Band office.

As has been practice in the past, Thunderchild First Nation pays the majority of the costs of the Appeal Tribunal. There has been a \$1,750 Trust deposit made by the applicant to assist with costs, however in order to implement and give effect to the governing process as defined in your Constitution and related Acts, Thunderchild pays the costs of this process. The costs are fixed, reasonable and less than standard rates for the Appeal Tribunal members.

Below is the Appeal Tribunal proposed budget and fee payment arrangement (Which is based on previous budgets and fee schedules in the Act adjusted for inflation and market rates):

<u>Expenditure</u>	<u>Budget Amount</u>	<u>Actual Amount</u>	<u>Difference</u>
Panel Member 1 (Chairperson)	10,000.00 (flat rate)	Unknown	0.00
• Mileage	Nil	Nil	Unknown
• Meals x 3	Nil	Nil	0.00
Panel Member 2	7,500.00	Unknown	0.00
• Mileage	Nil	Nil	Unknown
• Meals x 3	Nil	Nil	0.00
Panel Member 3	7,500.00	Unknown	0.00
• Mileage	Nil	Nil	Unknown
• Meals x 3	Nil	Nil	0.00
Registrar	3,000.00	Unknown	0.00
Elder Per Diem	N/A	N/A	0.00
<b>TOTAL ESTIMATE EXPENDITURE</b>	<b>28,000.00</b>	<b>Unknown</b>	

The above proposed budget assumes the hearing will take one day and includes: preparation time, research, consultations, meetings, drafting, reviewing and finalizing a written decision, telephone, fax, office supplies, conference calls, mobile calls and photocopy equipment. The Registrar shall also keep a written record.

In order to keep cost to a minimum it is expected that Thunderchild will incur additional expenses for the following factors and/or provide services for the following: facility; assemble; disassemble; clean up; tables; chairs; head table set up; microphones if required; and other unanticipated supplies as may be required.

We also recognize that the applicant will be responsible for a portion of the costs. The applicant has paid the customary \$1,750 appeal fee which is held by our office in Trust. We require a trust deposit for the balance in the amount of \$26,250 on or before November 21, 2022. A final invoice shall be delivered to the First Nation with the final written decision.

Please confirm in writing the budget is satisfactory. Should you have any questions or concerns please contact this writer immediately at (306) 880-1626. Thank you for your attention in this matter.

Yours truly,



On behalf of the Thunderchild First Nation Appeal Tribunal

Per:

**BEAU ATKINS Legal Prof. Corp.**

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Enclosures

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