

Before:

Metis Settlements Appeal Tribunal
Land Panel

Between:

Lorne Ladouceur,

Appellant,

-and-

Buffalo Lake Metis Settlement,
Metis Settlements General Council
and
Metis Settlements Land Registry,

Respondents.

Concerning: Land dispute affecting SE- 21-063-16-4

Decision Date: July 5, 2017

INTERIM EX PARTE DECISION

MSAT Panel members:

Lorne Dustow, Chairperson

Phyllis Collins, Panel Member

Joyce Parenteau, Panel Member

MSAT Staff present:

Amanda Wyatt, Dispute Resolution Officer

Place and date of the meeting:

Conference call

July 4, 2017

1.0 Context

[1] The Land Panel of the Metis Settlements Appeal Tribunal held a hearing on July 4, 2017 to consider an application for an Interim Order under Section 190 (3) of the *Metis Settlements Act*.

1.1 Background

[2] On April 5, 2017, Lorne Ladouceur submitted an appeal confirming that he disagreed with a number of decisions regarding land legally described as SE-21-063-16-4 (161.00 Acres), including expiry of his Provisional Metis Title and the awarding of a Provisional Metis Title to another settlement member. He also indicated that he would like compensation for alleged improvements to SE-21-063-16-4.

[3] On June 13, 2017, Bruce Barry, representing Mr. Ladouceur, requested that the Tribunal direct the Registrar of the Metis Settlements Land Registry place a hold on the land transfer until a decision was reached regarding Mr. Ladouceur's appeal.

[4] Prior to having the interim order request reviewed by the MSAT panel, Mr. Barry advised he would speak directly with Buffalo Lake Metis Settlement council to discuss his concerns. On June 27, 2017, Mr. Barry confirmed he would like to proceed with his request for an interim order, as he was unable to reach an agreement with Buffalo Lake Metis Settlement Council.

1.2 Jurisdiction

[5] The Tribunal has jurisdiction to make this decision under section 190(3) of the *Metis Settlements Act*.

190(3) The Appeal Tribunal may, if special circumstances so require, make an interim ex parte decision authorizing, requiring or prohibiting anything that the Tribunal would be empowered on application, notice or hearing to authorize, require or prohibit, but the decision must not be made for any longer time that the Tribunal considers necessary to enable the matter to be heard and determined.

1.3 Decision

[6] The Metis Settlements Land Registry not conduct any revisions to land legally described as SE-21-063-16-4, until the matter of Mr. Ladouceur's appeal has been resolved.

1.4 Reasons for Decisions and Findings of Fact

[7] The Tribunal made this decision in order to ensure that no transactions related to SE-21-063-16-4 take place while this matter is being reviewed by the Appeal Tribunal.

1.5 Order

[8] The Tribunal orders the Registrar of the Metis Settlements Land Registry to not make any revisions to the registry where SE-21-063-16-4 (161.00 Acres), is concerned until this order is lifted.

Dated in the City of Edmonton, in the Province
of Alberta on this 6th day of July 2017.

Harold Robinson
for Lorne Dustow
Panel Chair

