



No. 180247
Victoria Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

WEST MOBERLY FIRST NATIONS, and ROLAND WILLSON ON HIS OWN BEHALF
AND ON BEHALF OF ALL OTHER WEST MOBERLY FIRST NATIONS BENEFICIARIES
OF TREATY NO. 8

PLAINTIFFS

AND:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE
OF BRITISH COLUMBIA, THE ATTORNEY GENERAL OF CANADA, and BRITISH
COLUMBIA HYDRO AND POWER AUTHORITY

DEFENDANTS

APPLICATION RESPONSE

Application response of: The Attorney General of Canada (“Canada”).

THIS IS A RESPONSE TO the notice of application of the Plaintiffs filed January 31, 2018 for an interlocutory injunction pending trial enjoining the BC Hydro and Power Authority (“BC Hydro”) as well as the Province of British Columbia and Canada from undertaking particular actions in respect of the Site C dam as set out in Part 1 of the Plaintiffs’ notice of application.

Part 1: ORDERS CONSENTED TO

Canada does not consent to any of the relief sought in Part 1 of the notice of application.

Part 2: ORDERS OPPOSED

Canada does not oppose the granting of the orders set out in paragraphs 1 to 6 of Part 1 of the notice of application.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

Canada takes no position on the granting of the orders set out in paragraphs 1 to 6 of Part 1 of the notice of application.

Part 4: FACTUAL BASIS

1. NIL

Part 5: LEGAL BASIS

2. NIL

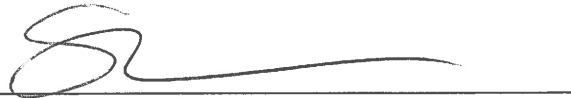
Part 6: MATERIAL TO BE RELIED ON

- 1. The pleadings filed in this proceeding; and
- 3. Such further and other materials as counsel may advise and the Court may permit.

The parties estimate that the application will take 10 days as ordered by Master Bouck in the case plan order made on February 23, 2018. The parties have agreed that the application will take place between July 23, 2018 and August 3, 2018.

- The application respondent has filed in this proceeding a document that contains the application respondent's address for service.
- The application respondent has not filed in this proceeding a document that contains an address for service. The application respondent's ADDRESS FOR SERVICE is:

Dated: May 9, 2018



Signature of

- application respondent
- lawyer for application respondent(s)

for

ATTORNEY GENERAL OF CANADA

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 British Columbia Regional Office
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Per: Tim Timberg
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 File: 9489341

Solicitor/counsel for the Attorney General of Canada

THIS APPLICATION RESPONSE is prepared and served by the Attorney General of Canada whose place of business and address for service is the Department of Justice Canada, British Columbia Regional Office, 900 - 840 Howe Street, Vancouver, British Columbia, V6Z 2S9, Telephone: (604) 666-8966, Facsimile: (604) 775-7557, Attention: Tim Timberg.