



Date: 20161130

Docket: T-2003-16

Vancouver, British Columbia, November 30, 2016

PRESENT: The Honourable Mr. Justice Roy

BETWEEN:

**COUNCILLORS GEORGINA JOHNNY,
BRANDY JULES AND RONALD JULES**

Applicants

and

ADAMS LAKE INDIAN BAND

Respondents

ORDER

UPON MOTION by the Applicants for injunctive and other relief brought by way of Notice of Motion dated November 21, 2016;

AND UPON hearing from counsel for the Applicants, Priscilla Kennedy, and Gregg Rafters, and noting the consent of the parties to the terms set out paragraphs 1 to 8 below;

THIS COURT ORDERS that:

1. The Applicants' motion is adjourned.

2. The Applicants, Georgina Johnny, Brandy Jules, and Ronald Jules (the 3 Councillors), are hereby restored to their position as councillors for the Adams Lake Indian Band pending the judicial review in this proceeding.
3. The application for judicial review shall be heard on an expedited basis. The hearing will take place before this Court at the Pacific Centre - 3rd floor, 701 Georgia Street West, in the City of Vancouver, British Columbia, on Friday, the 20th day of January, 2017, at 9:30 in the forenoon for a maximum duration of one (1) day.
4. The 3 Councillors will refrain from attending at the Adams Lake Indian Band Council office except for the purpose of attending Band Council Meetings.
5. No Band Council decisions regarding personnel will be made without a unanimous decision of Band Council.
6. The by-election presently scheduled for the election of new councillors to replace the 3 councillors is hereby cancelled, however, the by-election presently scheduled for the election of a new Band Chief shall proceed.
7. Band Councillors Norma Manuel and Gregory Witzky and a new Band Chief when elected have exclusive authority to retain and instruct legal counsel to deal with this judicial review.
8. The Adams Lake Indian Band shall pay the 3 Councillors their compensation as duly elected Councillors from the date of their purported removal from office.

"Yvan Roy"

Judge