

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

CITY OF YELLOWKNIFE, DAVID W. WIND,
ROBERT GORDON DOHERTY, WILLIAM AHO,
ROLLY COMEAU, ERIC SPUTEK, DAVID CONNELLY,
AND ALBERT C. EGGENBERGER

APPLICANTS

AND:

THE COMMISSIONER OF THE NORTHWEST
TERRITORIES AS REPRESENTED BY THE ATTORNEY
GENERAL (MINISTER OF JUSTICE) OF THE NORTHWEST
TERRITORIES

RESPONDENTS

ORIGINATING NOTICE

TAKE NOTICE that a motion will be made on behalf of the City of Yellowknife, David W. Wind, Robert Gordon Doherty, William Aho, Rolly Comeau, Eric Sputek, David Connelly, and Albert C. Eggenberger, all of the City of Yellowknife in the Northwest Territories for the following orders pursuant to Sections 24(1) and 52 of the *Canadian Charter of Rights and Freedoms, Constitution Act, 1982* (the "Charter"):

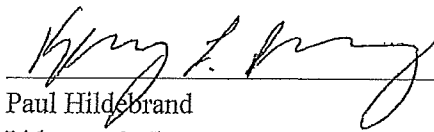
- (a) A Declaration that subsection 2(1) of the *Legislative Assembly and Executive Council Act*, S.N.W.T. 1999, c.22 (as amended) (the "Act") and Schedule A of the Act are invalid and of no force and effect as contrary to Section 3 of the Charter;
- (b) An Order that Section 2(1) of the Act and Schedule A of the Act remain provisionally in place until such time as the Court may direct for the sole purpose of allowing the Legislative Assembly to amend these provisions so as not to be contrary to Section 3 of the Charter, but not for the purpose of allowing an election to be conducted under the *Elections and Plebiscites Act* S.N.W.T. 2006, c. 15 (as amended);
- (c) An Order seeking directions concerning the timing and procedure for the hearing;
- (d) An Order granting the Applicants their costs.

AND FURTHER TAKE NOTICE that the grounds of the Application are that the boundaries of the Electoral Districts set out in Schedule A of the Act do not provide for equal and effective representation for all citizens and as such violate the rights of the residents of Yellowknife as guaranteed under section 3 of the Charter;

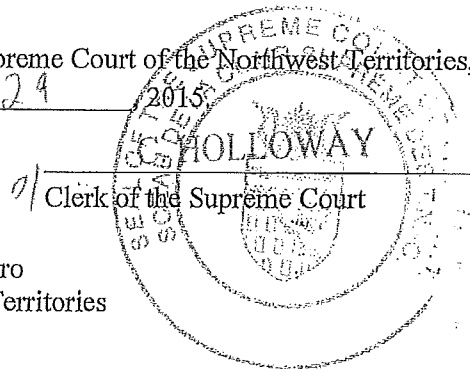
AND FURTHER TAKE NOTICE that the motion will be brought before the presiding Judge in Chambers at the Courthouse in Yellowknife, Northwest Territories, on July 10, 2015 at 10:00 a.m. or so soon thereafter as counsel may be heard;

AND FURTHER TAKE NOTICE that in support of the application will be read the Affidavits of Mark Heyck, David W. Wind, Robert Gordon Doherty, William Aho, Rolly Comeau, Eric Sputek, David Connelly, and Albert C. Eggenberger, copies of which are served with this Originating Notice.

DATED at Yellowknife, Northwest Territories, on June 29, 2015 and taken out by Lidstone & Company, solicitors for the Applicants, whose address for service is in care of the City of Yellowknife, P.O. Box 580, 4807-52nd Street, Yellowknife, NT X1A 2N4.


Paul Hildebrand
Lidstone & Company

ISSUED out of the office of the Clerk of the Supreme Court of the Northwest Territories, at Yellowknife, Northwest Territories, on June 29, 2015

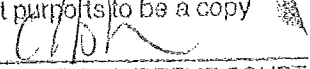


TO: The Honourable George L. Tuccaro
Commissioner of the Northwest Territories
803 Northwest Tower
P.O. Box 1320
Yellowknife, Northwest Territories
X1A 2L9

AND TO: The Attorney General (Minister of Justice) of the Northwest Territories
Department of Justice
4th Floor
4903 – 49th Street
Yellowknife, Northwest Territories
X1A 2L9
Attention: Sarah Kay, Manager - Litigation

AND TO: The Attorney General of Canada
Department of Justice Canada
5019 – 52nd Street
2nd Floor, Nova Plaza
Yellowknife, Northwest Territories
X1A 2P5

I hereby certify that the foregoing is a true copy of the original of which it purports to be a copy


CLERK OF THE SUPREME COURT

NOTICE TO RESPONDENT(S):

You are hereby notified that the Applicants may enter judgment in accordance with this Notice, or such judgment as the Applicants may be entitled to in accordance with the practice of the Supreme Court of the Northwest Territories, without any further notice to you unless you or your agent or solicitor appear at the place and on the date and time specified.

S.C. NO. S-16V2015 00111

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TERRITORIES AS
REPRESENTED BY THE
ATTORNEY GENERAL
(MINISTER OF JUSTICE)
OF THE NORTHWEST
TERRITORIES**

RESPONDENTS

ORIGINATING NOTICE

Paul Hildebrand
Lidstone & Company
Phone (604) 899-2269

c/o City of Yellowknife
P.O. Box 580
4807-52nd Street
Yellowknife, NT X1A 2N4

