

FORM #11

(Section 16.2(a) – Customary Election Regulations of the Peerless Trout First Nation)

Notice of Appeal

I, Norman J. Okemow (Name of Person Appealing)
(Print)

of Trout Lake Ab,
686 - Lot 227 (Address of Person Appealing)

appeal the results of the Election dated October 28, 2022 (Date of Election)

and the election of Gilbert B. Okemow (Name of Elected Official)

My appeal is based on the following (check the relevant statements):

- the Electoral Officer made an error in the interpretation or application of the Election Regulations which affected the outcome of the Election;
- a Candidate who ran in the Election was ineligible to run and provided false information;
- a Candidate who ran in the Election failed to disclose information relevant to the validity of their Nomination;
- a person voted in the Election who was ineligible to vote;
- a Candidate was guilty of a Corrupt Election Practice or benefited from and consented to a Corrupt Election Practice;
- improper activity by the Electoral Officer or Polling Clerk;
- other reason. A candidate was eligible for nomination Pursuant Section 9.3.

The facts which I rely on to support my appeal are as follows:

- Customary Election Regulations of the peerless Trout First Nation
- Section 16.1 (b) (c)
 - Section 9.3 (d)
 - 2. Definitions 2.29
 - Section 9.6 (b)
 - Candidate Loretta Muskwa is showing a willingness to act dishonestly in return for money and personal gain

by accepting an under the table deal during and after nomination and now today November 2, 2022 They are scrambling for a signed agreement. This is further elaborated on 2 page submission attached.

I intend to call the following witnesses at the hearing of this appeal:

(Witnesses who are not disclosed may not give evidence at an appeal hearing)
(State none if no witnesses will be called)

PTFN Councillor Paul Houle
(Dev Corp)
PTFN Development Corporation Shareholder Paul Houle.

I intend to use the following documents at a hearing of this appeal:

(Documents which are not disclosed may not be used at an appeal hearing)
(State none if no documents will be used)

- Draft agreement Dev-corp
 - Meeting minutes - Dev Corp.
 - Invoices - Dev Corp.
- Material Pending.
due to time frame of
appeal period.


Signature of Elector

ALL APPEALS MUST BE RECEIVED WITH A NON-REFUNDABLE FILING FEE OF \$100

**Customary Election Regulations of the Peerless Trout First Nation
Notice of Appeal 2-page Attachment**

Peerless Trout First Nation has a lease agreement for store in Peerless Lake Community with C&L Convenience store Ltd. which is owned by Candidate Loretta Muskwa.

1. Also, PTFN Development Corporation is 100% owned by Peerless Trout First Nation (PTFN), PTFN Council are acting shareholder for PTFN Development Corporation (Gladys Okemow, Judy Sinclair, Paul Houle, Mark Cardinal and Corrine Alook).
2. PTFN Development Corporation shareholders have appointed 5 Directors to manage PTFN Development Corporation as an arms length mechanism for the benefit of PTFN members and Peerless Lake and Trout Lake residents. (President Leo Alook, Vice President Charlotte Okemow, Board Member Emile Houle and Board Member Gabriel Metsikassus).
3. PTFN Development Corporation Directors had come to a partnership with C&L Convenience store Ltd. owned by (Candidate) PTFN Member Loretta Muskwa, where PTFN Development Corporation supplies gasoline through C&L Convenience store Ltd. for the benefit of the PTFN Members and Residents of Peerless Lake and Trout Lake and C&L Convenience store Ltd. gets more sales for the attraction for gasoline and is getting percentage per litre. The first load of 10,000 litres gasoline was delivered by Max Fuls out of Red Earth Creek on September 28, 2022, 2 days after the nomination day. There was a meeting held on October 25, 2022, between PTFN Council and PTFN Development Corporation Directors which one of the topics was to discuss the cost and financial situation with the partnership with C&L Convenience store Ltd. and PTFN Development Corporation.
4. On October 31, 2022, the price of gasoline at C&L Convenience store Ltd is at 1.72 per litre and the gasoline price at Red Earth Creek Max Fuels is at 1.56 per litre which the profit is at 0.16 cents per liter.
5. The affected Candidates are Gladys Okemow who had 161 votes and Gilebert B, Okemow had 168 votes, the difference between the two Candidates is 7 votes.
6. Candidate Lorretta Muskwa's ineligibility to be nominated to pursuant Section 16.1 (b) (c) and Section 9.6 (f)(v) in the Customary Election Regulations of the Peerless Trout First Nation at 27 votes presented an 80% chance of the election outcome could have been different. Candidate Loretta Muskwa should have stepped down from this partnership as she was in business with a PTFN Business entity. C&L Convenience store Ltd. reports to PTFN Development Corporation on sales.

**Customary Election Regulations of the Peerless Trout First Nation
Notice of Appeal 2-page Attachment**

16.1 Appeal Period and Grounds of Appeal Within five (5) consecutive days of the Election Day, or the date on which a Candidate is Acclaimed pursuant to section 10, any Elector may appeal the results of an Election, or an Acclamation, on the following grounds:

(b) A Candidate was ineligible for Nomination pursuant to paragraph 9.3 or provided false information or failed to disclose information relevant to the validity of their information.

(c) Any Elector or Candidate was guilty of promoting or aiding Corrupt Election Practices or consented to and benefited from such practices; or

9.3 Electors Eligible for Nomination

(d) Electors employed by the PTFN or a PTFN Business Entity are not eligible to be Nominated.

2. DEFINITIONS

2.29 "PTFN Business Entity" means any corporation, limited partnership, or other entity owned or controlled in part, directly or indirectly, by the PTFN.

9.6 Form of Nomination and Nomination Bonds

(f) (v) if the Nominee is an employee of the PTFN, or PTFN Business Entity, a letter from the Chief or Administrator stating they have taken a leave of absence;

9.2 The Notice of Nomination shall set out the following information:

b) The qualifications of Electors eligible to stand as a Candidate as per section 9.3;

PTFN Council and PTFN Development Corporation meeting held on October 25, 2022, I do not have authority to copy and attach but according to the sections below I call PTFN Councillor Paul Houle to witness regarding the lease agreement and the connection between PTFN Council/Shareholders of PTFN Development Corporation and PTFN Development Corporation Directors. It was a financial issue that prompted C&L Convenience store Ltd to take over the PTFN Convenience store Ltd.

I met PTFN Development Corporation Board Director Gaberial Metsikassus and advised me that he can not witness for this appeal due to there was no formal agreement with Convenience store Ltd. which does not change the fact that they had done the deed, corruption is present.

1. GOVERNANCE AUTHORITY AND LEADERSHIP OF THE PTFN


The Chief and Council (hereafter "The Council") are the Elected leaders of the Peerless Trout First Nation (hereinafter "the Nation") whose powers, duties and obligations are governed by the following:

(e) The common law and fiduciary obligations to manage and administer the property, lands, and other assets of the Nation in a reasonable transparent and accountable manner.

4. FINANCIAL MANAGEMENT AND RESPONSIBILITY

(a) The Council shall ensure the financial affairs of the Nation are managed in a responsible, transparent and accountable manner at all times keeping in mind the best long term interests of the Nation.

Prepared By Norman J. Okemow


November 1, 2022.