



## HUU-AY-AHT TRIBUNAL NOTICE OF RESPONSE RESPONSE OF ADMINISTRATIVE DECISION MAKER

# FORM B1

NOTES: This form is to be used for a Response by or on behalf of an administrative decision maker responding to an Application.

If there is not sufficient space on this form for any of the information required, you may attach a schedule and reference it in the space provided. You may also attach documents if necessary.

Responses must be filed with the Tribunal within 14 days of service of the Notice of Application.

### APPLICATION RESPONDED TO

This is a Response to Application # 2015-002.

### RESPONSE TO GROUNDS

Briefly set out your position on the Grounds for Appeal advanced in the application, including any relevant additional facts.

- 1) In response to the application in its entirety: the application is moot. The decision appealed from was set out in a resolution of Executive Council that has since been rescinded and the Applicant is no longer the Executive Director of the HUU-ay-aht First Nations.
- 2) In response to grounds 1-3, Executive Council says that it acted in accordance with its legal obligations and cannot respond further without greater specificity with respect to the allegations made against it.
- 3) In response to ground 4, failure by Executive Council to demonstrate its consideration of a particular provision of the *Government Act* in making a particular decision does not give rise to the right to appeal that decision.
- 4) In further response to ground 4 and in response to grounds 6-10, Executive Council conducted itself in accordance all applicable legislation, including *Government Act*, s.10, 50 and 56.
- 5) In response to ground 5, failure by the Chief Councillor to demonstrate how he or she met his or her responsibilities under the *Government Act*, s. 13(1)(i) in the course of consideration of a particular matter does not invalidate Executive Council's decision in respect of that matter.
- 6) In further response to ground 5, the Chief Councillor conducted himself in accordance with all applicable legislation, including *Government Act*, s. 13(1)(i).

### RESPONSE TO RELIEF SOUGHT

Set out your position on the relief sought in the Application.

The Respondent opposes all relief sought.

**THIS FORM HAS TWO SIDES  
YOU MUST COMPLETE BOTH**



HUU-AY-AHT TRIBUNAL NOTICE OF RESPONSE  
RESPONSE OF ADMINISTRATIVE DECISION MAKER

**FORM B1**

**RESPONDENT**

Huu-ay-aht First Nations Executive Council

LAST NAME \_\_\_\_\_ GIVEN NAME(S) \_\_\_\_\_ POSITION \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ CITY/TOWN \_\_\_\_\_ POSTAL CODE \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

**RESPONDENT'S AGENT** To be completed only if an agent will be acting on behalf of the Respondent.

**Skeels** \_\_\_\_\_ **Melinda** \_\_\_\_\_

LAST NAME \_\_\_\_\_ GIVEN NAME(S) \_\_\_\_\_

**Suite 500 -221 West Esplanade** \_\_\_\_\_ **North Vancouver** \_\_\_\_\_ **V7M 3J3** \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ CITY/TOWN \_\_\_\_\_ POSTAL CODE \_\_\_\_\_

**(604) 988-5201** \_\_\_\_\_ **mskeels@ratcliff.com** \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ **ccraighead@ratcliff.com** \_\_\_\_\_  
EMAIL ADDRESS

**ADDRESS FOR DELIVERY** This will be used to deliver any notices in relation to the Application.  
**Note: the Tribunal's preferred means of communication is through email.**

**CHECK ONE:**  Applicant's Email  Applicant's Fax  Applicant's Mailing Address  
 Agent's Email  Agent's Fax  Agent's Mailing Address  Use Email or Fax or Address **provided in space below:**

**SIGNATURE** This notice must be signed by the Respondent or Respondent's agent.

**Melinda Skeels** \_\_\_\_\_

FIRST AND LAST NAMES OF PERSON SIGNING

August 18, 2015 \_\_\_\_\_

DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_

**For Office Use Only** Date Received: \_\_\_\_\_

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YOU MUST COMPLETE BOTH**