



## SECOND NOTICE

**Wednesday, January 26, 2011**

**TO: Squamish Nation Members**

**RE: Explanation of Capilano Mobile Park Litigation**

As you are aware, in early December 2010 Squamish Nation Chiefs and Council filed a claim on behalf of Membership in the Supreme Court of British Columbia to regain control of lands located between the Capilano River and the Lions Gate Bridge on Capilano IR No. 5, where the Capilano Mobile Park is located.

This land belongs to the Squamish Nation as a whole and the entire membership is entitled to benefit from it. The Trailer Park had been operated under a permit, which expired in October 2008. The Partnership of the Trailer Park refused to enter into the new permit that the Nation offered. The Trailer Park brings in revenues of at least \$1.5 to \$1.8 million each year and its operators had been paying 35% of that to the Nation for the right to use this land, but since May 2010 they have been keeping all of the rents and not paying anything to the Nation.

Since this land belongs to the whole Squamish Nation, Chiefs and Council have a legal obligation to manage the lands for the benefit of all Nation Members. Chiefs and Council cannot allow a business to make money from the Nation's land without ensuring that the Membership receives a benefit in return. Since the Partnership is denying the Membership of this legal entitlement, Chiefs and Council had absolutely no choice but to instruct the Nation's lawyers to bring this claim.

It will take some time before the claim is finally resolved. The Nation's lawyers applied to the court to stop the Trailer Park Partnership from being able to continue to collect and keep money that should be going to the Nation until the court case is resolved. This application was heard in court on January 14, 2011.

Representatives of the Trailer Park Partnership appeared at the January 14<sup>th</sup> hearing and behaved in a way that was disrespectful of the court process. The Judge totally rejected their arguments and granted the order on the terms sought by the Nation.

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#### MISSION STATEMENT

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The order confirms the Squamish Nation’s right to lawful possession of the Trailer Park lands until the Nation’s claim is resolved by the court. The court also ordered that a neutral party (called a “receiver”) be appointed to manage the Trailer Park for the time being. The role of the receiver will be to run the Trailer Park and hold any revenues in trust, to be dealt with once the court case is over.

On January 26, 2011, the Partnership of the Trailer Park refused to obey the order and give up possession of the Trailer Park. They also refused to permit the receiver to run the business, as the court ordered. It is illegal to disobey a court order in this way. To ensure that the court’s order is respected, the West Vancouver Police were forced to arrest several people who were blocking the receiver’s access to the Mobile Park office and preventing the Nation from taking possession of the land.

The Trailer Park Partnership and their representatives have been extremely uncooperative and disrespectful in their dealings with the Nation and its legal counsel. They have delivered a large number of documents that are of no legal effect and have no status with the courts. The Partnership’s conduct, lack of co-operation and lack of respect for the rights of the Squamish Nation, as a whole, has taken significant time and financial resources of the Nation to deal with.

Sincerely,  
**SQUAMISH NATION**  
 Chiefs & Council

 Afroy Baker K'ebximtn	 Deborah Baker	
 Julie Baker Sxwélhchaliya	 Pamela Baker Hi-mi-ka-las	 Chief Ian Campbell Xálek/Sekyú Siyam
 Carla George Kwitelut Kwelaw'ikw	 Dale Harry Xwa-xwalkn	 Chief Gilbert Jacob KáKeltn Siyam
 Krisandra Jacobs	 Byron Joseph Ts'éikwileng Siyam	 Joshua Joseph Skwetsi7meitxw
 Christopher Lewis Syetáxtn	 Ann Whonnoch Syezwáliya	 Dennis Joseph xwéchtáal
 Chief Bill Williams telásemkin Siyam	 Chief Richard Williams Xwéixwelacha Siyam	

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