

October 24, 2018

Merrilee Rasmussen, Q.C.
Rasmussen Rasmussen & Charowsky
3301 College Avenue
Regina, SK S4T 1W3

Dear Madam:

**Re: June Ledrew et al v Council of the Rural Municipality of McKillop No. 220
Q.B.G. No. 2911 of 2018, Judicial Centre of Regina**
File No.: 068948-0001

We have received and thank you for your letter of October 23, 2018. In the circumstances, we are prepared to agree to one adjournment of our application to quash the bylaws. We will agree to adjourn the application to Tuesday, November 13th.

We wish to make it very clear that we will agree to no further adjournments as this matter is extremely urgent and time sensitive. We will file this letter with the Court and secure the consent adjournment to that date.

We understand that the rural municipality council has been considering several options for quite some time now, including reducing the taxes based on an error in the tax notices pursuant to Section 286(3) of *The Municipalities Act*. While you may be under the impression that such actions, if taken, will eliminate the need for our application to be heard and determined, we do not agree.

We have provided council with several opportunities to consent to the quashing of the bylaws so that the tax bylaw process could be carried out properly by, for example, passing the budget before they pass the tax bylaws as required by *The Municipalities Act*. Council has refused to cooperate and refused to consent to the quashing of these bylaws that are clearly illegal. We provide you this information so that council is not under the impression that they can proceed in some other fashion to rectify errors in the tax notices and satisfy our clients that the bylaws should then still survive. We have instructions to quash these bylaws regardless of what other steps or actions council may take.

Even in the scenario that the tax notices are rectified such that taxes are reduced to a level that is satisfactory to our clients, we will not withdraw the application without payment of solicitor and client costs to our client group. The actions that our group has taken are for the benefit of all rate

payers in the rural municipality and their application has obvious merit. In the scenario that our clients are satisfied with a tax reduction through a means other than quashing the bylaws, we will still insist on payment of our solicitor and client costs and will go to court to argue that on the hearing date of the application should that not be consented to. Depending at what point final agreement on the application takes place, those costs will amount to somewhere in the range of \$40,000 to \$50,000.

We will adjourn the application by consent to November 13th but we do not want any confusion about the fact that this application will proceed unless it is consented to and we will vigorously oppose any further adjournment requests.

Yours truly,

MLT AIKINS LLP

Per:



Deron A. Kuski, Q.C.

DAK:cbo

Via Telecopier

cc Local Registrar, Regina Court of Queen's Bench