

Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 3038	Subject: Authorization to access Listuguj Lands to execute Court's seizure order	Originated by:
The Council of the Listuguj Mi'gmaq Government		District Gespe'gewa'gi
Date of duly convened meeting	D 1 M 0 Y 2 6	Province Gepeg

WHEREAS: CATERPILLAR FINANCIAL SERVICES LIMITED (hereinafter: "CFSL") is pursuing DYLAN ALA'SUINA BARNABY for the recovery of three (3) pieces of equipment financed by three (3) Leasing Contracts relating to the following described equipment:

1 Caterpillar Hydraulic Excavator, model 336EL, year 2013, bearing serial number CAT0336EEFJH00404

1 Caterpillar Backhoe Loader, model 420-07, year 2020, bearing Serial number CAT00420EH8T00472

1 Tracteur à chaînes Caterpillar (Crawler Tractor), model D3K2LGP, year 2013, bearing serial number CAT0D3K2CKLL00324 (hereinafter the "EQUIPMENT");

WHEREAS: CFSL obtained a court order to recover the EQUIPMENT of which it is owner under the Leasing Contracts mentioned above;

WHEREAS: The Council was provided with a copy of the said court order and made proper validation of its content

WHEREAS: CFSL has mandated duly authorized court officers to practice this seizure through the bailiff company of Latraverse huissiers de justice Inc. (including any of its employees i.e namely Eric Latraverse) and to recover the EQUIPMENT with the help of a towing company to assist for transportation;

WHEREAS: he said court order also be made to apply and extend to employees, colleagues or subcontractors of the bailiff company Latraverse huissiers de justice Inc., including Eric Latraverse as acting bailiff;

WHEREAS: CFSL is requesting LMG to grant a reasonable access to Listuguj Lands so it can proceed with the execution of the court order;

WHEREAS: The Council, after deliberation, finds no prejudice with the execution of the said court order for LMG and its membership;

Moved: George Martin

Seconded: Chris Wysote

Abstain: Sheila Swasson, Erwin Peter Molley

Opposed: -

Absent: Annette Barnaby

Status: Passed Defeated Tabled

Quorum 7


 Chief Scott Martin

 Councillor Annette Barnaby

 Councillor Erwin Peter Molley

 Councillor Wendell Metallic

 Councillor Gordon Isaac Jr.


 Councillor Sky Metallic

 Councillor Christie Caplin

 Councillor George Martin

 Councillor Chris Wysote

Mi'gmaq Nation

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NOW BE IT RESOLVED:

THAT: The Council hereby grants authorisation to CFSL and/or its agents, including above mentioned mandated bailiffs, to access Listuguj Lands in order to recover the Equipment with no further delay;

THAT: the seizure of the Equipment shall be made in full compliance with the court order;

THAT: the bailiff company of Latraverse Huissier de justice Inc. or its designated subcontractor shall be assisted, if relevant, with the Listuguj Police Force.