

**Date: 20071010**

**Docket: A-385-06**

**Citation: 2007 FCA 324**

**CORAM: LINDEN J.A.  
NOËL J.A.  
RYER J.A.**

**BETWEEN:**

**FRANCIS THOMAS, JIMMY BILL, HARRY THOMAS, CHARLES RABBITSKIN,  
WAYNE THOMAS, GARRY THOMAS, CALVIN THOMAS and DONALD ABBOTT**

**Appellants**

**and**

**CHIEF PETER BILL and COUNCILLORS DENNIS LEWIS, ROMEO THOMAS,  
FREDERICK WHITEHEAD, WILLIE THOMAS, PETER SAKEBOW and DAVID  
THOMAS**

**Respondents**

Heard at Saskatoon, Saskatchewan, on October 10, 2007.

Judgment delivered from the Bench at Saskatoon, Saskatchewan, on October 10, 2007.

**REASONS FOR JUDGMENT OF THE COURT BY: LINDEN J.A.**

**Date: 200710**

**Docket: A-385-06**

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NOËL J.A.  
RYER J.A.**

**BETWEEN:**

**FRANCIS THOMAS, JIMMY BILL, HARRY THOMAS, CHARLES RABBITSKIN,  
WAYNE THOMAS, GARRY THOMAS, CALVIN THOMAS and DONALD ABBOTT**

**Appellants**

**and**

**CHIEF PETER BILL and COUNCILLORS DENNIS LEWIS, ROMEO THOMAS,  
FREDERICK WHITEHEAD, WILLIE THOMAS, PETER SAKEBOW and DAVID  
THOMAS**

**Respondents**

**REASONS FOR JUDGMENT OF THE COURT**

**(Delivered from the Bench at Saskatoon, Saskatchewan, on October 10, 2007.)**

**LINDEN J.A.**

[1] In our view, this appeal from the decision of Mr. Justice O'Reilly is moot as the 2007 election has taken place and the stay order has therefore, lapsed by its own term. We are not inclined to exercise our discretion to entertain this appeal in any event as we can see no useful purpose for this exercise.

[2] This appeal will, therefore, be dismissed for mootness, with costs.

“A. M. Linden”

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J.A.

**FEDERAL COURT OF APPEAL**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-385-06

**(Appeal from an order of O'Reilly, J. dated August 16, 2006, Court File No.: T-1262-06)**

**STYLE OF CAUSE:** FRANCIS THOMAS, JIMMY BILL, HARRY THOMAS,  
CHARLES RABBITSKIN, WAYNE THOMAS, GARRY  
THOMAS, CALVIN THOMAS AND DONALD ABBOTT

Appellants

and

CHIEF PETER BILL AND COUNCILLORS DENNIS  
LEWIS, ROMEO THOMAS, FREDERICK WHITEHEAD,  
WILLIE THOMAS, PETER SAKEBOW, AND DAVID  
THOMAS

Respondents

**PLACE OF HEARING:** Saskatoon, Saskatchewan

**DATE OF HEARING:** October 10, 2007

**REASONS FOR JUDGMENT  
OF THE COURT BY:** (Linden J.A., Noël J.A., Ryer J.A)

**DELIVERED FROM THE BENCH BY:** Linden J.A.

**APPEARANCES:**

Ms.Brenda McLeod

FOR THE APPELLANTS

Mr. Anil K. Pandila Q.C.

FOR THE RESPONDENTS

**SOLICITORS OF RECORD:**

Brenda McLeod  
Saskatoon, Saskatchewan

FOR THE APPELLANTS

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Prince Albert, Saskatchewan

FOR THE RESPONDENTS

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