

CANADA / JUDGMENT

Arnouse v. August-Sjodin

2020 BCSC 609

COURT

Supreme Court of British Columbia

DECIDED

21 April 2020

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2020 BCSC 609 Arnouse v. August-Sjodin

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation:

Arnouse v. August-Sjodin,

2020 BCSC 609

Date: 20200421

Docket: S140640

Registry: Vancouver

Between:

Felix Bevar Arnouse for himself and for and on behalf of the

Little Shuswap Lake Indian Band and the Little Shuswap Lake Indian Band

Petitioners

And

Peter Allan August-Sjodin, also known as ":SP17UW-SQALEMC"

and the same :SP17UW-SQALEMC, and also known as

Peter Braun, Rain-Maker Penner August-Sjodin,

Jonah-Raven Penner August-Sjodin, :SP17UW-SQALEMC:

Sewepemc Tribal People, Whea-Hey-Ukt-Chuk,

Nuu-Cha-Nulth People, Michael Dean Fraser, also known as

"Whea-Hey-Ukt-Chuk" and the same Whea-Hey-Ukt-Chuk,

the Registrar of the Personal Property Registry and

the Attorney General for Canada representing

Her Majesty the Queen in Right of Canada

Respondents

Before: The Honourable Madam Justice Donegan

Reasons for Judgment on Contempt Application

Counsel for the Petitioners:

A.M. Grant

Appearing on his own behalf:

P.A. August-Sjodin

Place and Date of Hearing:

Kamloops, B.C.

March 13, 2020

Place and Date of Judgment:

Kamloops, B.C.

April 21, 2020

Introduction

[1] On June 5, 2014, Justice Bowden enjoined the respondent, Peter Allan August-Sjodin from filing any further registrations in the Personal Property Security Act Registry ("PPSA Registry") without leave of the court. The petitioners allege that he failed to comply with this order on several occasions and now seek to have him found in contempt of court.

Factual Background

[2] In support of this application, the petitioners tendered the following evidence:

1. The affidavit of Kukpi'7 (or, in English, "Chief") Oliver Arnouse sworn December 21, 2019;
2. Affidavit #1 of Sheila Ahmadi, legal assistant, sworn February 14, 2020; and
3. Affidavit #2 of Sheila Ahmadi, legal assistant, sworn March 5, 2020.

[3] Mr. August-Sjodin does not challenge the credibility of the affiants or the reliability of their evidence. I find them credible and their evidence reliable. Before turning to the details of their evidence, I wish to first identify and explain two features of it.

- [4] First, the affiants occasionally refer to information they were given from others. I appreciate this information is not offered for its truth, but simply to explain or provide context for what the affiant said or did. I am careful to rely upon this type of evidence for only the limited, non-hearsay purpose for which it was tendered.
- [5] Second, the affidavit of Kukpi'7 Arnouse contains evidence that is irrelevant to this application. I heard two other applications, from separate proceedings involving the same parties, on the same day as the within application. Kukpi'7 Arnouse has relevant evidence to give in all three applications and, for reasons of convenience, quite reasonably tendered one affidavit covering all matters. I am careful not to consider any evidence that is either irrelevant to the within application or for which its prejudicial effect outweighs its probative value.
- [6] Mr. August-Sjodin is a member of the Little Shuswap Lake Indian Band (the "Band"). In recent years, he has identified using other names, such as ":spi7uwe.:", ":spi7uwe.:secwepemc-tribal-people" or some other similar name. He has been involved in an extended period of litigation with the Band, its Council and employees.
- [7] On or about March 2, 2012, Mr. August-Sjodin and another person (Michael Dean Fraser, also known as Whea-Hey-Ukt-Chuk) purported to register a security interest in the nature of a trust indenture in the PPSA Registry bearing registration number 615826G and claiming an interest over the Band's entire Quaaout Indian Reserve #1.
- [8] In early 2014, Kukpi'7 Arnouse's predecessor, Felix Arnouse, petitioned the court on behalf of himself and the Band, seeking to discharge the above security interest and other relief.
- [9] Justice Bowden heard the Petition on June 5, 2014 and, in reasons delivered that same day (indexed at 2014 BCSC 2555), found that Mr. August-Sjodin and Mr. Fraser had purported to register a security interest over the entire Quaaout Indian Reserve #1 based on a fictitious trust indenture: para. 18. He also found that they had "demonstrated a willingness to file a registration in the PPSA Registry when there is no legal basis to do so": para. 22.
- [10] Justice Bowden ordered:
1. The registration made under the Personal Property Security Act, R.S.B.C. 1996, c. 359, on or about March 2, 2012 bearing Base Registration No. 515826G be discharged;
 2. An order enjoining the Respondents Peter Allan August-Sjodin, also known as ";Sp17uw-Sqalemo" and the same ;Sp17uw-Sqalemo, also known as Peter Braun and as ;Sp17uw-Sqalemo; Sewepemc Tribal People, Rain-Maker Penner August-Sjodin, Jonah-Raven Penner August-Sjodin, Michael Dean Fraser, also known as Whea-Hey-Ukt-Chuk and as Whea-Hey-Ukt-chuk; Nuw-Cha-Nulth People and the same Whea-Hey-Ukt-Chuk, from filing any further registrations in the PPSA Registry without prior leave of the Court;

3. Damages pursuant to s. 69(4) of the Personal Property Security Act, RSBC 1996, c. 359, in the amount of \$200.00 in accordance with s. 58 of the Personal Property Security Regulation, BC Reg. 227/2002 as against the Respondents Peter Allan August-Sjodin, also known as ";Sp17uw-Sqalemo" and the same ;Sp17uw-Sqalemo, also known as Peter Braun and as ;Sp17uw-Sqalemo; Sewepemc Tribal People, Rain-Maker Penner August-Sjodin, Jonah-Raven Penner August-Sjodin, Michael Dean Fraser, also known as Whea-Hey-Ukt-Chuk and as Whea-Hey-Ukt-chuk; Nu-cha-Nulth People and the same Whea-Hey-Ukt-Chuk;
 4. Special costs as against the Respondents Peter Allan August-Sjodin, also known as ";Sp17uw-Sqalemo" and the same ;Sp17uw-Sqalemo, also known as Peter Braun and as ;Sp17uw-Sqalemo; Sewepemc Tribal People, Rain-Maker Penner August-Sjodin, Jonah-Raven Penner August-Sjodin, Michael Dean Fraser, also known as Whea-Hey-Ukt-Chuk and as Whea-Hey-Ukt-chuk; Nu-cha-Nulth People and the same Whea-Hey-Ukt-Chuk in the amount of the actual legal fees and expenses incurred by the Petitioners up to the conclusion of the hearing of this matter.
- [11] With respect to the special costs award, Justice Bowden held:
- [23] As I have found that no trust indenture exists and the reliance by the respondents on a fictitious trust indenture has necessitated these legal proceedings by the petitioners, and further, the respondents have failed to make any submissions to this Court that have any relevance to the petition before the Court, I am ordering that the respondents pay special costs equal to the actual legal fees expended by the petitioners to take this matter to the end of this hearing.
- [12] Mr. August-Sjodin was personally present in court when Justice Bowden read out his Reasons for Judgment and imposed the orders he did.
- [13] On January 8, 2015, counsel for the Band, Mr. Grant, sent Mr. August-Sjodin a letter enclosing the written form of Justice Bowden's orders and a transcript of the Oral Reasons for Judgment.
- [14] On January 19, 2015, special costs were assessed in the amount of \$27,496.93. Other than a \$3,000.00 partial set-off from an unrelated matter in March 2015, the special costs and damage awards remain unpaid.
- [15] Difficulties with Mr. August-Sjodin's conduct continued. On January 28, 2015, the Band took steps to ban him from various Band facilities. Further litigation became necessary. On February 18, 2016, the Band commenced a proceeding out of the Kamloops Registry (Docket No. 52560), seeking to have the ban enforced, have him restrained from having contact with certain Band members and employees, and have him restrained from issuing documents that he called "true bills" (lengthy, often nonsensical documents, covered in ink thumbprints and other markings that purport to be some kind of notice or statement of account).

- [16] Mr. August-Sjodin filed a Response and the Band soon thereafter brought applications to strike his Response, obtain default judgment and various other orders in the nature of injunctive relief.
- [17] Justice Hyslop heard these applications on May 10, 2016.
- [18] On July 4, 2016, in reasons indexed at 2016 BCSC 1214, Justice Hyslop granted all of the orders sought by the Band, including an award of special costs.
- [19] For a time thereafter, the Band Council was hopeful that Mr. August-Sjodin had stopped pursuing "freeman-on-the land" activities; however, at the end of the summer of 2019 they learned that he had not. The Band made this discovery when it sought to return certain leased vehicles pursuant to their agreements, but security interests registered against those vehicles prevented them from doing so.
- [20] The Band's subsequent investigations uncovered that Mr. August-Sjodin made a number of PPSA Registry registrations, including against the leased vehicles.
- [21] The PPSA Registry search results show five new registrations made by Mr. August-Sjodin after Justice Bowden's orders.
1. April 24, 2017 - Registration No. 958506J
- [22] The PPSA Registry results show that on April 24, 2017, Peter August-Sjodin (under the name ":spi7uwe.:secwepemc-tribal-people") filed a new registration bearing registration number 958506J in the PPSA Registry alleging a security interest in the nature of a trust indenture over the personal property of:
- a) Peter Allan August-Sjodin of 2364 Little Shuswap Lake Road, Chase, B.C.;
 - b) Rainmaker Penner August-Sjodin of 2364 Little Shuswap Lake Road, Chase, B.C.;
 - c) Jonahraven Penner August-Sjodin of 2364 Little Shuswap Lake Road, Chase, B.C.;
 - d) WilliamCharles Edward Collins of 2364 Little Shuswap Lake Road, Chase, B.C.; and
 - e) Erin Louise Williams of 2364 Little Shuswap Lake Road, Chase, B.C.;

with general collateral described as:

PETER ALLAN BRAUN AND PETER ALLAN AUGUST-SJODIN COLLATERAL

- [23] A lengthy description is then provided, in which Peter August-Sjodin claims "the entity of the Quaaout Indian Reserve No. 1" and in which he states, in part:

ANY INFRINGEMENT OR TRESSPASS AGAISNT THESE COPYWRITTEN TRADENAMES OR THE SOVRAN SPIRITUAL APPELLANTIONS WILL CONSTITUTE A DEFAULT ON OUR PRIVATE CONRACTS AND THE ISSUANCE OF A NOTORIZED TRUE BILL TO BE REGISTERED MAILED TO ALL THIRD PARTY TRESSPASSERS FOR ONE MILLION IN TROY GOLD BULLION OR ONE MILLION FUNCTIONAL FIAT CURRENCY USD, WHICH IS THE AMOUNT FOR EACH UNAUTHORIZED USE OF THE COPYWRITTEN TRADENAMES AND SOVAN APPELLATIONS.

("Registration No. 958506J")

2. June 13, 2017 - Registration No. 069535K

[24] Based on the PPSA Registry search results, on June 13, 2107, Peter August-Sjodin (under the name ":spi7uwe.:secwepemc-tribal-people") filed a new registration bearing registration number 069535K in the PPSA Registry alleging a security interest in the nature of a trust indenture over the personal property of the Band's lawyer, Arthur Grant. Details are described as:

ALL PROPERTY OF ARTHUR M GRANT ET AL, OLIVER ARNOUSE DBA CHIEF OF LITTLE SHUSWAP LAKE INDIAN BAND ET AL ARE ARE ACCEPTED AS DEBTORS BY THEIR AQUIESCENCE AND NON RESPONSE OF TRUE BILL REGISTER MAIL # RW942585166CA, NOW HELD BY THE SEC SECURED PARTIES VIA PRIVATE SECURITY AGREEMENT # RN038990154 CA FOR THE VALUE OF \$408 850.00 FUNCTIONAL FIAT CURRENCY CANADIAN. ALL PROPERTY INCLUDING THEIR PAYCHECKS PUBLIC, PERSONAL AND PRIVATE AND ALL INCLUSIVE NUNC PRO TUNC LISTED PROPERTY LISTED IN THE PRIVATE SECURITY AGREEMENT ARE NOT TO BE SOLD OR ISPOSED OF IN ANY MANNER UNTIL THE SECURED PART PARTIES ARE SATISFIED IN FULL.

("Registration No. 069535K")

3. June 16, 2017 - Registration No. 079680K

[25] Based on the PPSA Registry search results, on June 16, 2107, Peter August-Sjodin (under the names ":spi7uwe.:secwepemc-tribal-people") filed a new registration bearing registration number 079680K in the PPSA Registry alleging a security interest in the nature of a trust indenture over the personal property of:

- a) Rhys Lang of 1663 Little Shuswap Lake Road, Chase, B.C.;
- b) Oliver Arnouse of 1886 Little Shuswap Lake Road, Chase, B.C.;
- c) Justice Hope Hyslop of 800 Smithe Street, Vancouver, B.C.;
- d) (Justice) Gregory Bowden of 800 Smithe Street, Vancouver, B.C.;
- e) Doug Brown of 1886 Little Shuswap Lake Road, Chase, B.C.; and
- f) Stewart Adamson of 1886 Little Shuswap Lake Road, Chase, B.C.

[26] I note 800 Smithe Street is the address for the courthouse in Vancouver.

[27] A lengthy description is then provided:

General Collateral:

FOR THE SECURED PARTIES ACCEPT FOR FULL VALUE ALL PRIVATE SECURITY AGREEMENTS ET AL NUNC PRO TUNC, ALL PROPERTY, MENTIONED IN THE PRIVATE SECURITY AGREEMENTS AND PUBLIC HAZARD BONDS OF THE ABOVE DEBTORS FOR THE TRESSPASS AND BREACHES OF THE IMPERIAL ORDERS ALREADY ACCEPTED FOR FULL VALUE AND RETURNED FOR FULL VALUE BY THE SECURED PARTIES. ALL SIGNATURES OF THE ABOVE DEBTORS ARE HEREBY ACCEPTED FOR FULL VALUE BY THE SECURED PARTIES. THE SECURED PARTIES ACCEPT FOR FULL VALUE ALL PUBLIC, PRIVATE AND PERSONAL PROPERTY OF THE ABOVE DEBTORS NOW OWNED OR HEREAFTER ACQUIRED INCLUDING AND NOT LIMITED TO PROCEEDS, PRODUCTS, BANK ACCOUNTS, ACCOUNTS, LEGAL DEVICES, CHATTEL PAPER, DOCUMENTS OF TITLE, GOODS, INSTRUMENTS, TRANSMITTING UTILITIES, BIKES, STOCKS, BONDS, SECURITIES, RETIREMENT PLANS, BENEFITS FROM TRUSTS, MOTOR HOMES, 5TH WHEELS, MOBILE HOMES, VEHICLES, AUTO'S, TRUCKS, COMPUTERS, TELEVISIONS, MUSICAL INSTRUMENTS, ANTIQUES, SPORTING EQUIPMENT AND ALL OTHER PROPERTY THAT IS NOT MENTIONED IS AS IF IT IS MENTIONED. PRIVATE SECURITY AGREEMENT REGISTER MAIL 3 RN038990171 CA, RN038990137CA, RN038990154CA, RW942585166CA, RN038990154CA SECURITY FOR WESLEY FRANCIOS DBA COUNCILLOR FOR LSLIB, AND THE SAME FOR ARTHUR M GRANT DBA LAWYER FOR LITTLE SHUSWAP LAKE INDIAN BAND 689 ET AL. THE SECURED PARTIES ACCEPT FOR FULL VALUE PPSR #PA83863, BASE REGISTRATION NUMBER 062509H, 9585863 ET AL, FOR THE SECURED PARTIES ARE WITH THE CLAIM OF THE RESERVATION OF OUR RIGHTS BY OUR CONDITIONAL ACCEPTANCE OF THE UCC 1-207 ET AL BY THE AUTHORITY OF THE SECURED PARTIES

("Registration No. 079680K")

4. May 8, 2018 - Registration No. 743786K

[28] Based on the PPSA Registry search results, on May 8, 2018, Peter August-Sjodin (under the names ":spi7uwe.:secwepemc-tribal-people" and ":Tapete.: sukanakan-tribal-people" and with an address of 2364 Shuswap Rd, Chase, BC) amended Registration No. 069535K, pursuant to registration number 743786K, and added the following vehicle collateral:

- a) 2C4RDGBG9GR160750 - Dodge Van
- b) 3C6JR6AT0GG177487 - Dodge Ram
- c) 1FTFW1EF1HFD13408 - Ford
- d) 1FTEW1EPXHKC09648 - Ford
- e) 1FTFW1EF3HKC78192 - Ford

f) 1FM5K8AR4FGA47426 -Ford

and added the general collateral described as follows:

FOR THE SECURED PARTIES CONDITIONALLY ACCEPT FOR FULL VALUE CORPORATE # 0000230098 CIK, CANADA SIC 8888 FOREIGN GOVERNMENT ET AL, 0001705144 CIK CANADA BANK SHARES INC, 0001607438 CIK CANADA CANNABIS CORP. CIK# 0001228242. PPSA R BASE REG# 069535K, 958506J AND 079680K.

("Registration No. 743796K")

[29] The Dodge vehicles registered as "vehicle collateral" are vehicles owned by the Band's corporation, Skwlax Investments Inc. and the Ford vehicles are vehicles leased by the Band.

[30] Before turning to the fifth registration, I note that Mr. Grant, counsel for the Band, wrote to Mr. August-Sjodin on October 21, 2019. Mr. Grant demanded that he remove these false registrations, demanded that he "cease and desist from making any other such claims" and advised him that the petitioners would be initiating proceedings to have him held in contempt of court. Formal demands for discharge under the PPSA were attached from both Mr. Grant and Kukpi'7 Arnouse.

[31] Mr. August-Sjodin's reply to this correspondence was to file a new registration alleging a security interest in the nature of a trust indenture over Mr. Grant's personal property.

5. October 30, 2019 - Registration No. 861890L

[32] Based on the PPSA Registry search results, on October 30, 2019, Peter August-Sjodin (under the name "spi7uwe sqalemc") filed a new registration bearing registration number 861890L in the PPSA Registry alleging a security interest in the nature of a trust indenture over the personal property of Arthur Grant. He described the general collateral as follows:

FILE NUMBER 1005-107, SECURITY AGREEMENT NUMBER RN38990171CA, PERSONAL PROPERTY REGISTRATION NUMBERS 079680K, 069535K AND 743796K. FOR THE SECURED PARTIES ACCEPT THE SIGNATURE OF ARTHUR M GRANT FOR FULL VALUE, AS WELL AS HIS OATH OF ALLEGIANCE TO QUEEN ELIZABETH II OF WINDSOR ET AL.

("Registration No. 861890L")

[33] On November 26, 2019, Mr. August-Sjodin wrote to Mr. Grant to advise that he would not remove the registrations. Addressing his faxed correspondence to "Dear debtor/s Arthur M Grant et al and Oliver Arnouse et al", Mr. August-Sjodin wrote, in part:

Concerning the matter of RN03899017CA ppsa number 079680K number 069535K amendment number 743796K and any and all other registrations containing these numbers they will not be expunged or redacted until the matters the private matters between the debtors and the secured parties are dealt with and the remedy is satisfied.

You do not have jurisdiction on Indian land AS PER The Royal Proclamation 1763 nor over any of the status Indians and absolutely not over an Ally of HER MAJESTY THE QUEEN ELIZABETH II. Legal steps are being taken to collect these two outstanding debts.

YOU ARE ALSO NOT AUTHORIZED BY THE SECURED PARTIES TO USE MY COPYWRITTEN NAME WHICH IS ONE OF THE ISSUES CAUSING THIS TRUST INTENTURE VIA MY PRIVATE FEE SCHEDULE.

ALSO YOU HAVE MADE A GRAVE ASSUMPTION THAT SPI7UWE, THE REAL LIVE BONAFIDE INDIAN AND PETER AUGUST-SJODIN ARE ONE OF THE SAME OR THAT ONE OF THESE IS AN AKA, PLEASE PROVIDE YOUR EVIDENCE THAT THIS IS A FACT.

Also it seems only an officer of the court can be found contemptable that is you and the rest of the British subject of Her Majesty.

This letter you have sent via reg mail also contains trespasses and unauthorized use of a copyright and you will be charged accordingly.

[34] Mr. August-Sjodin signed the letter "UCC 1-207 ALL RIGHTS RESERVED: spi7uwe."

[35] On February 4, 2020, Roderick McLennan, a lawyer in Mr. Grant's office, sent a letter and Form 4 - Demand for Discharge to Mr. August-Sjodin's registered address, demanding that Registration No. 861890L be discharged immediately.

[36] Both Mr. Grant and Kukpi'7 Arnouse wrote to the Registrar of the PPSA Registry, advising of the notices sent to Mr. August-Sjodin demanding removal of the registrations.

[37] On February 20, 2020, the Registrar discharged Registration No. 069535K as against Mr. Grant because no court order was registered maintaining its existence.

[38] By way of letter dated March 5, 2020, the Registrar advised that Registration No. 079680K could not be discharged because that registration was made against multiple debtors (Rhys Laug, Oliver Arnouse, Justice Hyslop, Justice Bowden, Doug Brown and Stewart Adamson) and only one debtor gave the required notice to Mr. August-Sjodin (Oliver Arnouse). The Registrar stated that a court order would be required to direct the Registrar to complete the full discharge of the registration.

[39] Mr. August-Sjodin provided a Response to this application and made oral submissions. I also permitted him to file a letter addressed to the Ministry of the Attorney General, upon which he sought to rely at the hearing.

[40] In short, Mr. August-Sjodin feels the court has no jurisdiction over him in this matter. His Response is, quite simply, unresponsive. It is also frivolous, vexatious, and discloses no reasonable defence or lawful excuse. A few examples from parts of his pleadings will be sufficient to demonstrate these conclusions.

[41] Under "Part 4: Factual Basis", Mr. August-Sjodin asserts as a fact, among other things, that:

1. The application of Arthur m grant is fictitious and lacks jurisdiction.
 2. This action by ARTHUR M GRANT breaches the imperial Orders: The Royal Proclamation 1763 et al, Queen Ann's Orders in council 1704 et al, lord Dufferins Orders in Council 1875 et al, and the queen Dekis Bargain of 1665 et al, all of which have been accepted for full value and returned for full value by the spi7uwe and :whey-hey-utk-chuk. And :tapete.
 3. By the act of registration and definition of registration the persons listed in the application are dead and/or fictitious creatures created by and for the use in law.
 7. :spi7uwe. Is not any of the named respondents and for sure not and never will be a "person, individual, AKA, corporation, corp sole, chattel or a piece of paper.
 13. The alleged order by Justice bowden were signed with a large sized felt pen appearing as null and void and unlawful and/or fraudulent.
 23. "Every man is independent of all laws except those prescribed by nature. He is not bound by any institution formed by his fellow men without consent." Cruden v. Neale 2NC.338(1796) 2 S.E.70.
- [42] Under "Part 5: Legal Basis", Mr. August-Sjodin identifies, among other things:
1. Interview excerpt from an interview by George Barr, KINGS COUNCIL with R. Rogers Smith on "ligue pour L'Union federale", 822 sherbrooke EST, Mtl. (acquired from the Archives of the province of Saskatchewan), as the lack of jurisdiction question.
 8. :spi7uwe. Is not a Person
 10. PETER AUGUST-SJODIN©TM has and is being misappropriated by Arthur M Grant, Justice Bowden et al and Justice hyslop it al.
- [43] Under "Part 6: Material To Be Relied On", Mr. August-Sjodin identifies:
1. The royal Proclamation of October, 7th, 1763
 2. Interview excerpt from an interview by George Barr, KINGS COUNCIL with R. Rogers Smith on "ligue pour L'Union federale", 822 sherbrooke EST, Mtl. (acquired from the Archives of the province of Saskatchewan)
 3. Record form the FEDERAL-PROVINCIAL arbitrations of January 12th, 1897.
- [44] Near the bottom of the document, Mr. August-Sjodin identifies his address for service as "NON DOMESTIC/MILITARY-POST [2364 LITTLE SHUSWAP LAKE ROAD EAST, CHASE, BC, by jurat affidavit only under penalty of perjury". He signed his Response above a line that reads: "Autographs of application respondent and secured party creditors".

DECISION

Contempt of Court

- [45] I outlined the applicable legal principles on a civil contempt application in *Little Shuswap Lake Indian Band v. Peter Allan August-Sjodin*, 2020 BCSC 607 at paras. 25-32.
- [46] Applying those principles to the case at bar, I have no hesitation in finding that the applicants have proven each element of civil contempt of court beyond a reasonable doubt and that Mr. August-Sjodin is in contempt of the order of Justice Bowden on each occasion he filed the five registrations.
- [47] The applicants have proven the existence of a court order that clearly and unequivocally says what Mr. August-Sjodin should not do. The terms of Justice Bowden's June 5, 2014 orders could not have been clearer. In particular, the order prohibiting Mr. August-Sjodin from filing any further registrations in the PPSA Registry without prior leave of the court was clear and unequivocal.
- [48] The applicants have also proven that Mr. August-Sjodin had actual knowledge of this court order. Mr. August-Sjodin was present in court, in the courthouse in Vancouver, when Justice Bowden gave his reasons for judgment and imposed the orders he did. Mr. Grant sent him the order and a transcript of the Reasons for Judgment a few months later. From his Response and oral submissions at this hearing, it is overwhelmingly clear that Mr. August-Sjodin had actual knowledge of the order at all times, but that he simply feels the court has no jurisdiction over him in this matter. That he added Justice Bowden as an alleged debtor in one of his fictitious registrations, with the Vancouver Courthouse as Justice Bowden's address, adds support to this conclusion.
- [49] The applicants have also proven that Mr. August-Sjodin intentionally filed the five registrations. For clarity, the registrations made by Mr. August-Sjodin after Justice Bowden's order are:
1. April 24, 2017 - Registration No. 958506J;
 2. June 13, 2017 - Registration No. 069535K;
 3. June 16, 2017 - Registration No. 079680K;
 4. May 8, 2018 - Registration No. 743786K; and
 5. October 30, 2019 - Registration No. 861890L
- [50] Mr. August-Sjodin intentionally filed each of these registrations. They were not accidental. The applicants have proven that, in all five instances, Mr. August-Sjodin has alleged a security interest based on fictitious trust indentures or other fictitious agreements. There is no legal basis for any of the registrations. That he added Justice Hyslop, Justice Bowden and Mr. Grant as alleged debtors to some of these registrations adds support (were any needed) to the conclusion that Mr. August-Sjodin's acts were intentional. Justice Hyslop and Justice Bowden have been the only two judges of this court called upon to render decisions in the

various litigation involving Mr. August-Sjodin. Their decisions did not favour Mr. August-Sjodin. Mr. Grant has been advocating for the Band's protection from the conduct of Mr. August-Sjodin for years. His positions and actions have not favoured Mr. August-Sjodin either. Mr. August-Sjodin clearly deliberately targeted those he felt had wronged him.

- [51] Not only were all five of these acts of registration based on fictitious trust indentures or other fictitious agreements and completely devoid of any legal basis, the applicants have proven beyond a reasonable doubt that Mr. August-Sjodin registered them all without prior leave of the court, contrary to Justice Bowden's order. His acts are not only extremely serious, they are all separate acts constituting contempt of court.

Costs

- [52] The applicant seeks special costs of this application, to be assessed. The circumstances here justify such an award.
- [53] It is a "long-standing practice to award solicitor-client costs to the successful applicant in a civil contempt proceeding": *North Vancouver (District) v. Sorrenti*, 2004 BCCA 316 at para. 20. I see no reason to depart from this practice in this case, but even in the absence of such a practice, I would conclude that Mr. August-Sjodin's conduct here is reprehensible and requires rebuke in the form of special costs.
- [54] Mr. August-Sjodin intentionally and flagrantly disobeyed a court order on five occasions. He is unapologetic and remains defiant that he is not bound to comply with orders of this court. The Band, having obtained a court order, is entitled to have it obeyed without having to incur any further expense. That this application became necessary represents yet another example of Mr. August-Sjodin's complete lack of concern about the damage he does to the Band and his fellow Band members.
- [55] The applicants are awarded costs of this application, to be assessed as special costs.

Discharge of the Registrations

- [56] There are no valid trust indentures for any of the five registrations and there is no legal basis for any of them.
- [57] Of the five, only Registrations No. 069535K and 743786K (being an amendment to 069535K) have been discharged through the new powers given to the Registrar of the PPSA Registry to discharge an unproven registration. The applicants cannot require the Registrar to carry out an administrative discharge for situations where there are multiple debtors, some of whom are not under their control. The Registrar has suggested a court order to the effect sought by the applicants.
- [58] Accordingly, the Registrar is ordered to discharge the three remaining registrations:

June 13, 2017 - Registration No. 069535K;

June 16, 2017 - Registration No. 079680K;

October 30, 2019 - Registration No. 861890L

[59] The Registrar is also ordered to discharge another registration, Registration No. 062509H, made on November 20, 2012.

[60] This registration preceded the subject matter of the within action and was only recently discovered. For this registration, the alleged debtors are listed as Peter Allan August-Sjodin, David Brian Ridgway, Robert Dean Heinrich and Martin Ortlandt, all of 2364 Little Shuswap Lake Road, Chase, B.C. This is Mr. August-Sjodin's address. The collateral listed in the registration included "Skwlax Investments Inc.", which is the Band's corporation, and its assets, "Talking Rock Golf Course" and "Quaaout Lodge", as well as a list of lots that are apparently part of Quaaout Indian Reserve No. 1. For the same reasons identified as Justice Bowden, and in light of the uncontroverted evidence that there are no valid trust indentures granting the security interests or any other valid agreements granting the collaterals claimed by Mr. August-Sjodin, this registration must be discharged as well.

Penalty Phase

[61] As a general rule, civil contempt proceedings are bifurcated into a liability phase and then, if liability is proven, a penalty phase: *Carey v. Laiken*, 2015 SCC 17 at para. 18. Having now found Mr. August-Sjodin in contempt of Justice Bowden's order of June 5, 2014, I order Mr. August-Sjodin to attend court next on Monday, June 1, 2020 at 10 a.m., by telephone, to fix a date for a hearing to determine the penalty to be imposed. Counsel for the applicants should attend fix date by telephone as well.

[62] I would ask counsel for the applicants to draft the form of these orders. Only counsel for the applicants need approve the form of the order.

"S.A. Donegan J."

DONEGAN J.

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Prepared on 28 October 2026 · Esheria