

IN THE COURT OF APPEAL OF ALBERTA

BETWEEN:

**IMPERIAL OIL LIMITED and  
DEVON ESTATES LIMITED**

Appellants

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA (AS REPRESENTED BY THE  
MINISTER OF THE ENVIRONMENT), ALBERTA ENVIRONMENTAL APPEALS  
BOARD, and DIRECTOR, ENFORCEMENT AND MONITORING, BOW REGION,  
REGIONAL SERVICES, ALBERTA ENVIRONMENT**

Respondents

- and -

**LYNNVIEW RIDGE RESIDENTS' ACTION COMMITTEE and  
THE CITY OF CALGARY**

Intervenors

Appeal from the Judgment of  
THE HONOURABLE MADAM JUSTICE R.E. NATION  
Dated the 25<sup>th</sup> day of June, AD 2003  
Filed the 24<sup>th</sup> day of September, AD 2003

**NOTICE OF DISCONTINUANCE OF APPEAL**

TAKE NOTICE that the Appellants, Imperial Oil Limited and Devon Estates Limited, hereby discontinue the within Appeal without costs pursuant to an agreement reached between the Appellants and Respondents.

The form of this Discontinuance of Action may be approved by facsimile and by counterpart.

DATED at the City of Calgary, in the Province of Alberta, this 20<sup>th</sup> day of April, 2005.

**BLAKE, CASSELS & GRAYDON LLP**

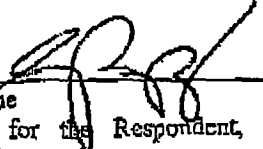
Per: \_\_\_\_\_

K.B. Mills/P.R. Jeffrey  
Solicitors for the Appellants, Imperial Oil  
Limited and Devon Estates Limited

CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this 15 day of April, 2005:

ALBERTA JUSTICE

Per:

  
G. Sprague  
Counsel for the Respondent, Director,  
Alberta Environment

CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:

KENNEDY AGRIOS LLP

Per:

Janice A. Agrios  
Counsel for the Respondent statutory  
decision maker, Minister of the  
Environment

CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:

Per:

A. Sims  
Counsel for the Respondent statutory  
advisor to the statutory decision maker,  
Alberta Environmental Appeals Board

TO:

G. Sprague  
Counsel for the Respondent, Director, Alberta Environment

Janice A. Agrios  
Counsel for the Respondent statutory decision maker, Minister of the  
Environment

A. Sims  
Counsel for the Respondent statutory advisor to the statutory decision maker,  
Alberta Environmental Appeals Board

AND TO:

Gavin S. Fitch  
Counsel for Lynnview Ridge Residents Action Committee, Intervenor

Ronald M. Kruhlak  
Counsel for the City of Calgary, Intervenor

AND TO:

Clerk of the Court

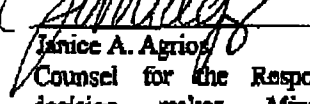
**CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:**

**ALBERTA JUSTICE**

Per: \_\_\_\_\_  
G. Sprague  
Counsel for the Respondent, Director,  
Alberta Environment

**CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:**

**KENNEDY AGRIOS LLP**

Per:  \_\_\_\_\_  
Janice A. Agrios  
Counsel for the Respondent statutory  
decision maker, Minister of the  
Environment

**CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:**

Per: \_\_\_\_\_  
A. Sims  
Counsel for the Respondent statutory  
advisor to the statutory decision maker,  
Alberta Environmental Appeals Board

**TO: G. Sprague  
Counsel for the Respondent, Director, Alberta Environment**

**Janice A. Agrios  
Counsel for the Respondent statutory decision maker, Minister of the  
Environment**

**A. Sims  
Counsel for the Respondent statutory advisor to the statutory decision maker,  
Alberta Environmental Appeals Board**

**AND TO: Gavin S. Fitch  
Counsel for Lynnview Ridge Residents Action Committee, Intervenor**

**Ronald M. Kruhlak  
Counsel for the City of Calgary, Intervenor**

**AND TO: Clerk of the Court**

CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:

CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:

ALBERTA JUSTICE

KENNEDY AGRIOS LLP

Per:

\_\_\_\_\_  
G. Sprague  
Counsel for the Respondent, Director,  
Alberta Environment

Per:

\_\_\_\_\_  
Janice A. Agrios  
Counsel for the Respondent statutory  
decision maker, Minister of the  
Environment

CONSENTED TO DISCONTINUANCE AND  
WAIVER OF COSTS this \_\_\_ day of April, 2005:

Per:

\_\_\_\_\_  
A. Sims  
Counsel for the Respondent statutory  
advisor to the statutory decision maker,  
Alberta Environmental Appeals Board

TO:

G. Sprague  
Counsel for the Respondent, Director, Alberta Environment

Janice A. Agrios  
Counsel for the Respondent statutory decision maker, Minister of the  
Environment

A. Sims  
Counsel for the Respondent statutory advisor to the statutory decision maker,  
Alberta Environmental Appeals Board

AND TO:

Gavin S. Fitch  
Counsel for Lynnview Ridge Residents Action Committee, Intervenor

Ronald M. Kruhlak  
Counsel for the City of Calgary, Intervenor

AND TO:

Clerk of the Court

No. 0301-0290AC  
Action No. 0201-15975

---

IN THE COURT OF APPEAL OF ALBERTA

---

BETWEEN:

**IMPERIAL OIL LIMITED and  
DEVON ESTATES LIMITED**

Appellants

- and -

**DIRECTOR, ENFORCEMENT AND  
MONITORING, BOW REGION, REGIONAL  
SERVICES, ALBERTA ENVIRONMENT,  
HER MAJESTY THE QUEEN IN RIGHT OF  
ALBERTA (AS REPRESENTED BY THE  
MINISTER OF THE ENVIRONMENT) and  
ALBERTA ENVIRONMENTAL APPEALS  
BOARD**

Respondents

- and -

**LYNNVIEW RIDGE RESIDENTS' ACTION  
COMMITTEE and  
THE CITY OF CALGARY**

Intervenors

---

**NOTICE OF DISCONTINUANCE OF APPEAL**

---

Blake, Cassels & Graydon LLP  
Barristers and Solicitors  
3500, 855 - 2<sup>nd</sup> Street S.W.  
Calgary, AB, T2P 4J8

K.B. Mills/P.R. Jeffrey  
Telephone: 403.260-9648/9742  
Facsimile: 403.260-9700  
File No. 14419/1718

