

IN THE COURT OF QUEEN’S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF EDMONTON

BETWEEN:

**THE STANLEY WORKS**

Plaintiff

- and -

**PHIL MCNEIL**

Defendant

**AFFIDAVIT**

I, Phil McNeil, Businessman, of the Town of Grande Prairie, in the Province of Alberta,  
SWEAR THAT:

1. I am the Defendant in the within action, and as such have personal knowledge of the matters hereinafter deposed to except where stated to be based on information and belief.
2. The Statement of Claim was filed on October 29, 1999, and was served upon me shortly thereafter. A Statement of Defence was prepared and filed on my behalf on November 17, 1999.
3. An Affidavit of Records was prepared and filed on my behalf on February 17, 2000. The Plaintiff has never filed an Affidavit of Records in the within action, although on March 30, 2000, the Plaintiff provided my solicitors with a sworn but unfiled copy of its Affidavit of Records. Attached hereto as Exhibit “A” is a letter from the Plaintiff’s solicitors to my solicitors enclosing the sworn but unfiled Affidavit of Records on March 30, 2000.
4. Attached hereto as Exhibit “B” is a copy of the procedure card of the within action.

**SWORN BEFORE ME** at the Town of )  
 Grande Prairie, in the Province of Alberta, )  
 this \_\_\_\_ day of April, 2005. )  
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 \_\_\_\_\_ )  
 A Commissioner for Oaths in and for the )  
 Province of Alberta )

\_\_\_\_\_ )  
 Phil McNeil )

Action No. 9903 20249

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IN THE COURT OF QUEEN'S  
BENCH OF ALBERTA  
JUDICIAL DISTRICT OF EDMONTON

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BETWEEN:

**THE STANLEY TOOLS**

Plaintiff

- and -

**PHIL MCNEIL**

Defendant

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**AFFIDAVIT**

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Bishop & McKenzie LLP  
Barristers and Solicitors  
#2500, 10104 – 103 Avenue  
Edmonton, Alberta  
T5J 1V3  
Attention: Erika D. Norheim  
File No: 15,629-8 (EDN)