

COURT FILE NUMBER SES03 160273

COURT **Court of Queen's Bench of Alberta
(Surrogate Matter)**

JUDICIAL CENTRE **Edmonton**

ESTATE NAME **Philip Stephen McEachern**

DOCUMENT **Affidavit in support of application
for maintenance and support**

DEPONENT'S NAME(S) Margaret Mary McEachern

EXHIBITS ATTACHED **“A” – Copy of the Will of Philip
Stephen McEachern executed
November 22, 2019
“B” – Copy of Grant of Probate
Granted on September 8, 2021
“C” – Copy of Affidavit of William G
Patrick sworn on February 25, 2022**



ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **MLT Aikins LLP
2200, 10235 – 101 Street
Edmonton, AB T5J 3G1
Attention: Salvatore N. Amelio
Phone: 780-969-3500
Fax: 780-969-3549
File No.: 154553-1**

THE DEPONENT SWEARS UNDER OATH OR AFFIRMS THAT THE FOLLOWING INFORMATION IS WITHIN THE DEPONENT'S KNOWLEDGE AND IS TRUE. WHERE THE INFORMATION IS BASED ON ADVICE OR INFORMATION AND BELIEF, THIS IS STATED.

1. I am the Applicant in this Application.
2. I am interested in the estate because I am the spouse of Philip Stephen McEachern (“Steve”) and I have been denied an encroachment on the capital of the Spousal Trust established under the Will for my benefit.
3. The facts on which this application is based are:
 - 3.1 Steve passed away on September 10, 2020.
 - 3.2 The Will of Philip Stephen McEachern, signed on November 22, 2019, a copy attached

hereto as **Exhibit "A"** (the "**Will**"), appointed myself and Concentra Trust ("**Concentra Trust**") as the joint Personal Representatives and Trustees (collectively, the "**Trustees**") of Steve's estate (the "**Estate**").

- 3.3 A Grant of Probate was applied for and was granted by Justice N.J. Whitling of the Court of Queen's Bench of Alberta on September 8, 2021, a copy attached hereto as **Exhibit "B"**.
- 3.4 The capital assets of the Estate currently have a gross value of approximately \$40,000,000.00 based on information available to me at this time.
- 3.5 The Will provides that a spousal trust is to be established for me (the "**Spousal Trust**") and that the rest and residue of the Estate is to be paid to the Spousal Trust.
- 3.6 The Will provides that all income of the Spousal Trust is to be paid to me for as long as I shall live.
- 3.7 The Will provides that the Trustees have uncontrolled discretion to encroach upon the capital of the Spousal Trust for my benefit for as long as I shall live.
- 3.8 The Will provides that upon my death the rest and residue of the Estate is to be paid to The Rotary International Foundation for the purpose of supplying fresh water, sanitation and micro-financing to third world countries.
- 3.9 In my capacity as Personal Representative and Trustee, I have retained Swainson Miki Peskett LLP to advise me in relation to my responsibilities as Personal Representative and Trustee. Pursuant to my instructions, Swainson Miki Peskett LLP has conducted a diligent search for the organization referred to in the Will as "The Rotary International Foundation". I have been advised by Swainson Miki Peskett LLP that they have not found evidence identifying that entity.
- 3.10 William G. Patrick, the solicitor who prepared the Will, swore an Affidavit, a copy attached hereto as **Exhibit "C"**, confirming that Steve intended to name "The Rotary International Foundation" in the Will.
- 3.11 After the signing of the Will and prior to his death, Steve often confided in me regarding his estate planning wishes and the Will. In particular, he stated to me on multiple occasions that:
 - (a) he had changed his mind and didn't want the money left in the Estate after I died to go to Rotary only;
 - (b) instead, Steve said he wished that the remainder of the Estate be distributed to a number of needy charitable organizations;
 - (c) he specifically stated that he wished he had set up the Will to benefit numerous charitable organizations;
 - (d) he mentioned to me on several occasions that one factor that contributed to him changing his mind regarding the distribution of the Estate was becoming more aware after the beginning of the COVID-19 pandemic that there were numerous needy charitable organizations both locally and nationally that

were struggling with their finances and that could benefit significantly from the wealth he had accumulated during his lifetime; and

- (e) he had already donated enough to Rotary during his lifetime.
- 3.12 After the signing of the Will and prior to his death, Steve advised me on multiple occasions of his wish to have a charitable foundation created during his lifetime and that his wish was that the majority of his accumulated wealth would be donated to such foundation to enable a continuous source of funding for certain charities. Unfortunately, Steve was physically unable to move forward with this wish prior to his death due to health issues.
- 3.13 Steve required caregivers to attend with him regularly near the end of his life. During this period of time, Steve would often confide in me regarding his estate planning and charitable giving wishes while the caregivers were taking their breaks. He advised me of how important it was to him for me to do everything within my power to ensure that his true charitable giving wishes are carried out and that a charitable foundation be established to ensure that a lasting charitable giving legacy is left in the McEachern name.
- 3.14 On March 23, 2021, in my capacity as the beneficiary of the Spousal Trust, I made a formal request to the Trustees requesting an encroachment on the entire capital of the Spousal Trust.
- 3.15 On November 5, 2021, counsel for Concentra Trust, indicated that Concentra Trust could not grant my request for a complete encroachment on the capital of the Spousal Trust without first applying to the Court for advice and directions.
- 3.16 On January 20, 2022, in my capacity as the beneficiary of the Spousal Trust, through MLT Aikins LLP, solicitors I retained to represent me in my capacity as beneficiary, I amended my prior request to the Trustees for encroachment on the capital of the Spousal Trust and instead requested an encroachment on 95% of the capital of the Spousal Trust. In my capacity as a Trustee, I have indicated that I am prepared to facilitate such request. To date, the other Trustee, Concentra Trust, has not responded to my request.
- 3.17 Steve and I were married on January 26, 1946 and we lived together continuously as a happily married couple until his death.
- 3.18 I am currently 98 years old.
- 3.19 Steve and I do not have any children.
- 3.20 Steve accumulated his wealth in his role as an investment advisor with Investors Group (“IG”) over the course of approximately 60-70 years. Throughout the course of our 76 years of marriage, Steve and I worked as a team in virtually all aspects of our marriage.
- 3.21 In the early years of our marriage, Steve worked as a representative for Coca-Cola Canada and I worked as a registered nurse at the University of Alberta Hospital. In or around the 1950’s, Steve was presented with the opportunity to leave his position at Coca-Cola Canada and begin a career as an investment advisor with IG. Steve and I discussed this opportunity

together at length as Steve had advised me that he would not be able to make the transition to IG without my assistance. Steve and I ultimately made a joint decision for him to move to IG to begin his career as an investment advisor.


- 3.22 Following Steve's move to IG, Steve and I relied solely on my income as a registered nurse to financially support us as Steve was busy with obtaining the training, education and certification required for his new position and in attempting to build up his client base. Steve was eventually able to start being profitable at some point during his second year as an investment advisor.
- 3.23 Further, as part of the decision for Steve to move to IG, Steve and I agreed that I would provide substantial administrative support and other work-related assistance to Steve to enable him to build his business with IG and become a successful investment advisor.
- 3.24 Steve and I worked as a team in Steve's role with IG for the entire time he was with IG and I contributed significantly to Steve's business and the accumulation of his wealth. I was Steve's sole assistant and administrative support for approximately the first 40 years of Steve's career with IG.
- 3.25 From early in our marriage until I retired in 1997, I was continuously employed full time as a registered nurse, first with the University of Alberta Hospital, and subsequently with Eaton's. I spent approximately the last 40 years of my career employed with Eaton's. During my time with Eaton's, I also received certification in occupational health and safety.
- 3.26 Although I was employed full time, I would expend substantial time and effort in assisting Steve with his business activities when I was not working as a registered nurse, specifically in the evenings, on weekends, on holidays and on my days off. Further, Steve was often required to travel for business and be out of town for days at a time. During these periods, I helped to keep his business operating smoothly. I considered helping Steve with his business to be my second job.
- 3.27 Examples of tasks I routinely performed in assisting Steve with his business, include but are not limited to the following:
- (a) A variety of administrative tasks;
 - (b) Dealing with transactional paperwork (for example, dealing with dividend payments for clients);
 - (c) Dealing directly with clients on a regular basis including telephone calls, correspondences and resolving inquiries and issues and otherwise providing assistance and support for Steve's numerous clients;
 - (d) Client care and promotional activities;
 - (e) Marketing and client generation activities; and,
 - (f) Preparation of Wills for Steve's clients at a time when the provision of such services by Steve was permitted;
- 3.28 I continued to provide substantial assistance to Steve in the manner described above for

approximately the first 40 years of Steve's career with IG until Steve was eventually provided with an administrative assistant by IG at which time I was able to spend somewhat less time assisting Steve with his business. Notwithstanding the foregoing, I continued to assist Steve with his business activities until the end of his career with IG.

- 3.29 I also contributed to Steve's business throughout his time with IG by referring numerous long-term clients to him.
- 3.30 I contributed to the wealth that Steve accumulated in his lifetime and the assets that form his Estate.
- 3.31 By virtue of my full time employment as a registered nurse, I contributed financially to our marriage until I retired in 1997.
- 3.32 Steve placed income earned by me into accounts, including investment accounts, that were registered solely in Steve's name.
- 3.33 Subject to Court approval, I intend to use any provision granted by the Court to me from the Estate to fulfill my promise to Steve to carry out his charitable giving wishes as detailed above and to leave a lasting charitable giving legacy in the McEachern name.
- 3.34 I swear this Affidavit in support of an application and order for spousal maintenance and support.

SWORN OR AFFIRMED BY THE DEPONENT BEFORE A COMMISSIONER FOR OATHS AT EDMONTON, ALBERTA ON MARCH 4, 2022.


Margaret Mary McEachern


A Commissioner for Oaths in and for Alberta

ALANDRA JESSUP
A Commissioner for Oaths
in and for Alberta
Student-at-Law

W I L L

THIS IS THE LAST WILL AND TESTAMENT OF
PHILIP STEPHEN McEACHERN, of the City of Edmonton,
in the Province of Alberta, Canada.

1. I HEREBY REVOKE all Wills and Testamentary
dispositions of every nature and kind heretofore
made.

2. I NOMINATE, CONSTITUTE AND APPOINT my Wife,
MARGARET MARY McEACHERN, also known as **DORIS
McEACHERN**, of the City of Edmonton, in the Province
of Alberta and **CONCENTRA TRUST**, jointly, to be the
Personal Representatives and Trustees of this my
Will. I hereinafter refer to my Personal
Representative and Trustee as "my Trustee".

3. I GIVE, DEVISE AND BEQUEATH all of my
property of every nature and kind and wheresoever
situate including any property over which I may
have a general power of appointment to my said
Trustee upon the following trusts, namely:

This is Exhibit "A" referred to in the affidavit of Margaret
Mary McEachern sworn before me this 4th day of
March, 2022.

A Commissioner of Oaths for
the Province of Alberta

ALANDRA JESSUP
A Commissioner for Oaths
in and for Alberta
Student-at-Law



- a) To use their discretion in the realization of my estate, with power to my Trustees to call in and convert into money any part of my estate not consisting of money at such time or times, in such manner, and upon such terms, and either for cash or for credit, or part cash and part credit as my Trustees may in their uncontrolled discretion decide upon, or to postpone such conversion of my estate or any part or parts thereof for such length of time as they may think best and I HEREBY DECLARE that my said Trustees may retain any portion of my estate in the form in which it may be at my death (notwithstanding that it may not be in the form of an investment in which Trustees are authorized to invest trust funds, and whether or not there is a liability attached to any portion of my estate) for such length of time as my Trustees may in their discretion deem advisable and my said Trustee shall not be held responsible for any loss that may happen to my estate by reason of their so doing.
- b) To pay out and charge to the capital of my general estate my just debts, funeral, and testamentary expenses, all succession duties and inheritance and death taxes, whether imposed by or pursuant to the law of this or any province, state, country, or jurisdiction whatsoever, that may be

A handwritten signature in dark ink, appearing to be a stylized name, located in the bottom right corner of the page.

payable in connection with any insurance on my life, or any gift or benefit given by me either in my lifetime, or by survivorship, or by this my Will, or by any Codicil thereto and whether or not such duties and taxes may be payable in respect to estates or interests which fall into possession at my death or any subsequent time, and I HEREBY AUTHORIZE my Trustees to pay such duty or tax prior to the due date thereof, or to commute the duty or tax on any interest or expectancy.

- c) To establish a spousal trust for my wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, and to pay the rest and residue of my estate to the said spousal trust. All income from the spousal trust is to be paid to my wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, for as long as she shall live. I further give my Trustees uncontrolled discretion to encroach upon the capital of the trust for the benefit of my said wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, for as long as she shall live.
- d) Upon the death of my wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, or should my said wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, predecease me, I

Handwritten signature and initials, possibly "W.M.P.", located at the bottom right of the page.

direct that the rest and residue be paid to **THE ROTARY INTERNATIONAL FOUNDATION** for the purpose of supplying fresh water, sanitation and micro-financing to third world countries.

IN TESTIMONY WHEREOF I have to this my Last Will and Testament, written upon this and the preceding three pages of paper, subscribed my name this 22 day of November, 2019. *WSP*

Authenticated as a true copy of the original.

[Signature]
FOR CLERK OF THE COURT

[Signature]
PHILIP STEPHEN McEACHERN

SIGNED, PUBLISHED AND DECLARED by the said Testator, **PHILIP STEPHEN McEACHERN**, as and for his Last Will and Testament in the presence of us, both present at the same time, who at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses:

W G Patrick
WILLIAM G. PATRICK
300, 10310 Jasper Avenue
Edmonton, Alberta
T5J 2W4
(780) 426-4884
Solicitor

Deborah Patrick
Deborah Patrick



COURT OF QUEEN'S BENCH OF ALBERTA (SURROGATE MATTER)
JUDICIAL CENTRE OF EDMONTON

ESTATE NAME MCEACHERN, PHILIP STEPHEN ALSO KNOWN AS
MCEACHERN, PHILIP ALSO KNOWN AS
MCEACHERN, PHILIP S ALSO KNOWN AS
MCEACHERN, STEVE ALSO KNOWN AS
MCEACHERN, STEPHEN

GRANT PROBATE

BY ORDER OF THE HONOURABLE JUSTICE N.J. WHITLING
DATED SEPTEMBER 08, 2021.

THE COURT HAS GRANTED PROBATE OF THE ATTACHED WILL AND
ADMINISTRATION OF ALL THE DECEASED'S PROPERTY TO THE PERSONAL
REPRESENTATIVE(S)

NAME OF DECEASED MCEACHERN, PHILIP STEPHEN ALSO KNOWN AS MCEACHERN,
PHILIP ALSO KNOWN AS MCEACHERN, PHILIP S ALSO
KNOWN AS MCEACHERN, STEVE ALSO KNOWN AS
MCEACHERN, STEPHEN

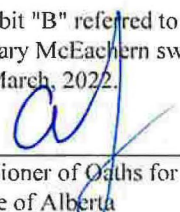
OF EDMONTON, ALBERTA

DATE OF DEATH SEPTEMBER 10, 2020

This is Exhibit "B" referred to in the affidavit of
Margaret Mary McEachern sworn before me this
4th day of March, 2022.

NAME(S) OF PERSONAL REPRESENTATIVE(S)

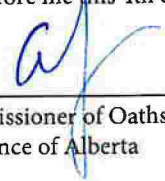
MCEACHERN, MARGARET MARY ALSO KNOWN AS
MCEACHERN, DORIS OF EDMONTON, ALBERTA
CONCENTRA TRUST OF SASKATOON, SASKATCHEWAN


A Commissioner of Oaths for
the Province of Alberta

ALANDRA JESSUP
A Commissioner for Oaths
In and for Alberta
Student-at-Law


CLERK OF THE COURT

This is Exhibit "C" referred to in the affidavit of Margaret Mary McEachern sworn before me this 4th day of March, 2022.



A Commissioner of Oaths for
the Province of Alberta

ALANDRA JESSUP
A Commissioner for Oaths
In and for Alberta
Student-at-Law

COURT FILE NUMBER SES03 160273

COURT COURT OF QUEEN'S BENCH OF ALBERTA (Surrogate Matter)

JUDICIAL CENTRE EDMONTON

ESTATE NAME PHILIP STEPHEN McEACHERN

AND ANY OTHER NAME(S) BY WHICH KNOWN PHILIP McEACHERN, PHILIP S McEACHERN, STEVE McEACHERN and STEPHEN McEACHERN

DOCUMENT AFFIDAVIT

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT SWAINSON MIKI PESKETT LLP
Robert J. Collier
Suite 2800, Bell Tower
10104-103 Avenue NW
Edmonton, Alberta T5J 0H8
Telephone: (780) 809-7800
Facsimile: (780) 809-7788
File #: 90066-0002

AFFIDAVIT OF WILLIAM G. PATRICK
Sworn February 25, 2022

I, William G. Patrick, of the City of Edmonton, in the Province of Alberta, MAKE OATH AND SAY:

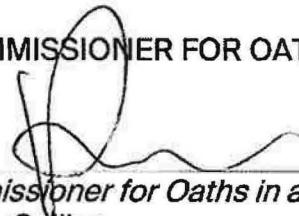
1. I was a member of the Law Society of Alberta from 1972, the year of my call to the Alberta Bar, until my retirement from the practice of law on December 31, 2019.
2. I assisted a client, Philip Stephen McEachern ("Steve"), with the preparation and execution of his Last Will and Testament that was executed on November 22, 2019, a copy of which is attached hereto as Exhibit "A" (the "Will"), and as such I have personal knowledge of the matters and facts hereinafter deposed to by me except where stated to be based upon information and belief, and where so stated, I verily believe the same to be true.
3. Steve gave me specific instructions to name The Rotary International Foundation as the beneficiary of the rest and residue of his estate upon the passing of his wife, Margaret Mary McEachern, for whose benefit Steve had created a spousal trust in the Will.

4. Steve gave me clear and specific instructions for the wording to be used in the Will to identify The Rotary International Foundation.
5. Steve instructed me to include a provision in the Will requiring that any benefit received from his estate by The Rotary International Foundation was to be used for the purpose of supplying fresh water, sanitation and micro-financing to third world countries.
6. I prepared the Will in accordance with Steve's instructions.
7. Steve was a very active Rotary member during his lifetime and knew the organization well. Further, I am informed and verily believe Steve was familiar with estate planning and estate administration matters by virtue of his lengthy career as a financial advisor with Investors Group. Due to the foregoing, I did not question whether Steve had given me the correct name for The Rotary International Foundation.
8. I did not take any independent steps to verify the correct description of The Rotary International Foundation nor to ascertain whether The Rotary International Foundation was registered as a charity in Canada.
9. The process of providing advice, obtaining instructions, preparing the Will and meeting with Steve to execute the Will was performed within unusual time constraints since I was retiring from legal practice effective as of December 31, 2019 and I had a number of matters to attend to leading up to my retirement. While I do not recall the specific dates, in mid-November, 2019 I advised Steve of a late November, 2019 deadline to complete preparation and execution of the Will.
10. I make this Affidavit for the purpose of clarifying the instructions that I received from Steve and other circumstances relevant to the inclusion of The Rotary International Foundation in the Will.

SWORN UNDER OATH OR AFFIRMED BEFORE A COMMISSIONER FOR OATHS AT
EDMONTON, ALBERTA ON FEBRUARY 15TH, 2022.



Deponent
William G. Patrick



A Commissioner for Oaths in and for Alberta
Robert J. Collier
Appointment Expiry Date: *N/A*
Barrister & Solicitor

ROBERT J. COLLIER
Barrister & Solicitor

This is Exhibit "A" referred to in the Affidavit of

William G. Patrick

Sworn before me this 25th day

of February A.D., 2022

W I L L

ROBERT J. COLLIER
A Notary Public, A Commissioner for Oaths
In and for Alberta
Notary & Solicitor

THIS IS THE LAST WILL AND TESTAMENT OF
PHILIP STEPHEN McEACHERN, of the City of Edmonton,
in the Province of Alberta, Canada.

1. I HEREBY REVOKE all Wills and Testamentary dispositions of every nature and kind heretofore made.

2. I NOMINATE, CONSTITUTE AND APPOINT my Wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, of the City of Edmonton, in the Province of Alberta and **CONCENTRA TRUST**, jointly, to be the Personal Representatives and Trustees of this my Will. I hereinafter refer to my Personal Representative and Trustee as "my Trustee".

3. I GIVE, DEVISE AND BEQUEATH all of my property of every nature and kind and wheresoever situate including any property over which I may have a general power of appointment to my said Trustee upon the following trusts, namely:

Handwritten initials and signature

- a) To use their discretion in the realization of my estate, with power to my Trustees to call in and convert into money any part of my estate not consisting of money at such time or times, in such manner, and upon such terms, and either for cash or for credit, or part cash and part credit as my Trustees may in their uncontrolled discretion decide upon, or to postpone such conversion of my estate or any part or parts thereof for such length of time as they may think best and I HEREBY DECLARE that my said Trustees may retain any portion of my estate in the form in which it may be at my death (notwithstanding that it may not be in the form of an investment in which Trustees are authorized to invest trust funds, and whether or not there is a liability attached to any portion of my estate) for such length of time as my Trustees may in their discretion deem advisable and my said Trustee shall not be held responsible for any loss that may happen to my estate by reason of their so doing.
- b) To pay out and charge to the capital of my general estate my just debts, funeral, and testamentary expenses, all succession duties and inheritance and death taxes, whether imposed by or pursuant to the law of this or any province, state, country, or jurisdiction whatsoever, that may be




payable in connection with any insurance on my life, or any gift or benefit given by me either in my lifetime, or by survivorship, or by this my Will, or by any Codicil thereto and whether or not such duties and taxes may be payable in respect to estates or interests which fall into possession at my death or any subsequent time, and I HEREBY AUTHORIZE my Trustees to pay such duty or tax prior to the due date thereof, or to commute the duty or tax on any interest or expectancy.

- c) To establish a spousal trust for my wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, and to pay the rest and residue of my estate to the said spousal trust. All income from the spousal trust is to be paid to my wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, for as long as she shall live. I further give my Trustees uncontrolled discretion to encroach upon the capital of the trust for the benefit of my said wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, for as long as she shall live.
- d) Upon the death of my wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, or should my said wife, **MARGARET MARY McEACHERN**, also known as **DORIS McEACHERN**, predecease me, I

Handwritten signature and initials, possibly "WMP", located at the bottom right of the page.


direct that the rest and residue be paid to **THE ROTARY INTERNATIONAL FOUNDATION** for the purpose of supplying fresh water, sanitation and micro-financing to third world countries.

IN TESTIMONY WHEREOF I have to this my Last Will and Testament, written upon this and the preceding three pages of paper, subscribed my name this 22 day of November, 2019.

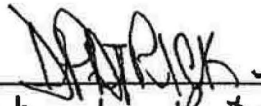


PHILIP STEPHEN McEACHERN

SIGNED, PUBLISHED AND DECLARED by the said Testator, **PHILIP STEPHEN McEACHERN**, as and for his Last Will and Testament in the presence of us, both present at the same time, who at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses:



WILLIAM G. PATRICK
300, 10310 Jasper Avenue
Edmonton, Alberta
T5J 2W4
(780) 426-4884
Solicitor



Deborah Patrick

This is the paper writing referred to in the Affidavit of
WILLIAM G. PATRICK and marked by his signature
herewith and described as Exhibit "A" therein.

W G Patrick

WILLIAM G. PATRICK

SWORN BEFORE ME this 22 day
of November, A.D. 20 19

Carlo J. De Rocco

A Commissioner for Oaths in and for the
Province of Alberta

TESTATOR NAME **PHILIP STEPHEN McEACHERN,
also known as PHILIP S.
McEACHERN, also known as
PHILIP McEACHERN, also known
as STEVE McEACHERN**

DOCUMENT **Affidavit of witness to a will**

DEPONENT'S NAME **WILLIAM G. PATRICK**

EXHIBIT ATTACHED **A: Original will dated
November 22, 2019,**

THE DEPONENT SWEARS UNDER OATH OR AFFIRMS THAT THE INFORMATION IN THIS AFFIDAVIT IS WITHIN THE DEPONENT'S KNOWLEDGE AND IS TRUE. WHERE THE INFORMATION IS BASED ON ADVICE OR INFORMATION AND BELIEF, THIS IS STATED.

1. I am one of the witnesses to the last will of the testator, **PHILIP STEPHEN McEACHERN**.
2. The will is dated November, 2019 and is marked as Exhibit A to this affidavit.
3. When the testator signed the will, I believe the testator understood that the document being signed was the testator's will.
4. When the testator signed the will, I believe the testator was competent to sign the will.
5. The testator, the other witness to the will and I were all present together when the testator and the witnesses signed the will.
6. Before the testator signed the will, the testator made the following changes to it:
 - 6.1 **NONE - NOT APPLICABLE**

SWORN OR AFFIRMED BEFORE A COMMISSIONER FOR OATHS AT THE CITY OF EDMONTON, IN THE PROVINCE OF ALBERTA ON November, 2019.

W G Pat
Deponent: **WILLIAM G. PATRICK**

Carla J. De Luca
Commissioner's Name
CARLA J. De LUCA

Appointment Expiry Date: December 6,
2019