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Alberta Court Grants Mareva Injunction & Receivership Order to Protect Tallcree First Nation Trust Beneficiaries

Lenczner Slaght's Matthew Sammon, Jessica Kras, and Natalie Workewych, acting alongside OKT LLP, have secured significant interim relief for Chief Rupert Meneen and Tallcree First Nation in ongoing litigation to recover and protect assets of the Tallcree First Nation Trust.

Chief Meneen commenced legal proceedings against Jeffrey R.W. Rath Professional Corporation and Jeffrey Rath personally arising from their administration of the Tallcree First Nation Trust.

Mr. Rath is an Alberta lawyer who previously acted for Tallcree First Nation. Jeffrey R.W. Rath Professional Corporation is the corporation through which Mr. Rath carries on his legal practice.

The Trust was established in 2017 to hold and distribute settlement funds for certain members of Tallcree First Nation, who are the beneficiaries of the Trust. Mr. Rath's professional corporation served as the sole trustee of the Trust until June 26, 2026.

Chief Meneen's proceeding seeks a range of remedies addressing serious concerns about Mr. Rath's administration of the Trust, including orders to protect Trust assets, require Mr. Rath to account for charges made against the Trust, and recover Trust funds.

The Alberta Court of King's Bench has already granted significant interim relief to protect the Trust and its beneficiaries.

On June 26, 2026, Justice Parker ordered that Mr. Rath's professional corporation be removed as trustee. Justice Parker appointed BMO Trust Company in its place. Justice Parker made preliminary findings that there are strong indications of misconduct by Mr. Rath and his professional corporation. He referred to "concerning and troubling amounts" charged to the Trust by Jeffrey R.W. Rath Professional Corporation and a "lack of disclosure, transparency, and frankly concealment" by Mr. Rath and his professional corporation. Justice Parker also ordered Mr. Rath and his professional corporation to disclose the location of Trust assets (money), pass their accounts,

preserve Trust records, and refrain from charging their legal costs to the Trust.

The case returned to Court on July 10, 2026, after financial records disclosed by Mr. Rath and his professional corporation revealed that \$8,518,075 had been paid from the Trust to them shortly after the Alberta Court of Appeal confirmed that those funds belonged to the beneficiaries. In light of these facts, Justice Marion granted an interim *Mareva* order freezing the worldwide assets of Mr. Rath and his professional corporation up to \$8,518,075.

Yesterday, on July 15, 2026, Justice Gill extended and expanded the *Mareva* injunction and granted Chief Meneen's request that an investigative receiver be appointed to trace the funds removed from the Trust. Justice Gill found a real risk that Mr. Rath would continue taking steps that could interfere with efforts to locate the missing funds, including due to Mr. Rath's changing the Trust auditors without notice, and the timing of that change. Justice Gill also relied upon evidence suggestive of the misappropriation of trust funds from another First Nation trust account, raising concerns about a broader pattern involving First Nations trust accounts.

Chief Meneen and the Tallcree First Nation will take all necessary and lawful steps to protect the rights and interests of the Trust's beneficiaries, many of whom are minors, and to pursue appropriate recovery of Trust assets from all responsible parties.