

| CANADA | |
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| PROVINCE OF SASKATCHEWAN | j |
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IN THE MATTER OF THE LEGAL PROFESSION ACT, 1990 AND IN THE MATTER OF NATHAN XIAO-PHILLIPS, A LAWYER OF REGINA, SASKATCHEWAN

Formal Complaint

I, VALERIE PAYNE, of the City of Regina, in the Province of Saskatchewan, Director of Professional Responsibility for the Law Society of Saskatchewan, do hereby certify that Greg Walen, Q.C., Hearing Administrator, of the Law Society of Saskatchewan, has appointed a Hearing Committee pursuant to Rule 1118, comprised of Bryan Salte, Q.C., as Chair, Jonathan Bodvarson and David Flett to hear and determine a Formal Complaint set out by the Conduct Investigation Committee pursuant to Rule 1116, against Nathan Xiao-Phillips, a lawyer and a member of the Law Society of Saskatchewan, carrying on the practice of law at all of the relevant times in the City of Regina, in the Province of Saskatchewan, as follows

THAT Nathan Xiao-Phillips, of the City of Regina, in the Province of Saskatchewan, is guilty of conduct unbecoming a lawyer in that he:

- 1. Charged or accepted a fee or disbursement that was not:
 - (a) disclosed in a timely fashion;
 - (b) fair; and/or
 - (c) reasonable;

in relation to his representation of Cowessess First Nation No. 73.

- 2. Failed to carry on the practice of law and discharge all responsibilities to:
 - (a) his client:
 - (b) the Court; and/or
 - (c) other members of the profession;

honourably and with integrity in relation to the application for fee assessment and the taxation of fees by Cowessess First Nation No. 73.

3. Failed to advise and encourage his client, Cowessess First Nation No. 73, to compromise or settle disputes on a reasonable basis and discourage the client from commencing or continuing useless legal proceedings in relation to the small claims matter involving G.A.

DATED at the City of Regina, in the Province of Saskatchewan, this 28th day of June, 2022.

VALERIE PAYNE

Director of Professional Responsibility for the Law Society of Saskatchewan