

Natives file suit to get tobacco returned

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The Montana First Nation, Chief Carolyn Buffalo and Rainbow Tobacco G.P. filed a joint \$1.5-million lawsuit Friday against the Alberta Gaming and Liquor Commission, after it seized 75,000 cartons of cigarettes on the reserve in January.

The lawsuit alleges the AGLC defamed the three and demands the seized tobacco be returned to the Montana First Nation. "Unfortunately at this time, I am not able to comment on the lawsuit now that the matter is before the courts," AGLC spokeswoman Lynn Hutchings-Mah said.

Hobbema RCMP came across the 14 million cigarettes after Buffalo phones them, saying there was a break-in at a Quonset hut on the reserve. The AGLC was notified and on Jan. 5 seized the cigarettes. "The cigarettes are considered evidence in an ongoing investigation and what happens to them will be determined at a later date," Hutchings-Mah said.

The AGLC maintains that the cigarettes did not bear the necessary provincial marking needed to sell tobacco in Alberta, which is a violation of the Tobacco Act. The commission earlier said the cigarettes represented a potential \$3 million loss in tax revenue for Alberta.

Buffalo was unable to be reached for comment.

The lawsuit alleges the AGLC's seizure of cigarettes has "inhibited the economic development" of Montana First Nation and taken away the opportunity to earn a livelihood. The lawsuit also claims that the commission and province lacked the jurisdiction to enter the reserve and that the cigarettes were exempt from taxation.

Montana First Nation is about 90 kilometres south of Edmonton.

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