

**FILE NO.:** SCT-7003-14  
**DATE:** 20150126

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
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WE WAI KAI NATION	)	
	)	Allan Donovan, for the Claimant
	)	
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Indian	)	John Russell and Richelle Rae, for the
Affairs and Northern Development	)	Respondent
	)	
	)	
Respondent	)	
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	)	
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	)	

**ORDER**

**Honourable Johanne Mainville**

Pursuant to Rule 10 of the *Specific Claims Tribunal Rules of Practice and Procedure*, SOR/2011-119, and upon the consent of the Parties, **THE TRIBUNAL ORDERS THAT:**

[1] The hearing of the Claim shall proceed in separate stages;

[2] The issues of validity and compensation will be bifurcated. The Tribunal will first determine the validity of the Claim by holding a hearing and rendering its decision;

[3] The second stage of the Claim pertaining to compensation, if necessary, will not begin until the issue of validity has been finally determined, including all rights of judicial review (to the Federal Court of Appeal) and seeking leave to appeal (to the Supreme Court of Canada);

[4] If the Claim is finally determined to be valid, a Case Management Conference shall be scheduled at which time the Parties shall discuss the issue of damages and compensation including whether expert evidence will be required and the length of time required to reasonably prepare the case;

[5] Should one of the Parties seek judicial review of the Tribunal's decision regarding validity to the Federal Court of Appeal, that party will provide notice to the Tribunal via letter of all significant steps taken in the application for judicial review so that the Tribunal is kept fully informed of all proceedings; and,

[6] Should one of the Parties seek leave to appeal the Federal Court of Appeal's decision to the Supreme Court of Canada, that party will provide notice to the Tribunal via letter of all significant steps in the leave to appeal, and any subsequent appeal, so that the Tribunal is kept fully informed of all proceedings.

JOHANNE MAINVILLE

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Honourable Johanne Mainville