

FILE NO.: SCT-7003-15

DATE: 20161130

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
WILLIAMS LAKE INDIAN BAND)	
)	Niki Sharma, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Nicholas Claridge and Shelan Miller, for the
Affairs and Northern Development)	Respondent
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: November 16, 2016

ENDORSEMENT AND ORDER

Honourable William Grist

A Case Management Conference (CMC) was held by teleconference on November 16, 2016, at 1:00 P.M., Eastern Time (Ottawa).

[1] On consent of the Parties, the Claimant had filed an Amended Declaration of Claim with the Tribunal on November 9, 2016. The Respondent shall serve and file its Amended Response on or before **November 30, 2016**.

[2] The Parties shall file an Agreed Statement of Issues on or before **December 15, 2016**.

[3] Prior to the next CMC, the Parties shall propose hearing dates (potentially in May or June of 2017) and a location for the validity hearing. The Parties do not anticipate producing or relying on evidence beyond the Common Book of Documents at this stage.

[4] The Parties shall contact the Registry to schedule the next CMC, which will take place on a date subsequent to February 8, 2017 and before February 28, 2017.

[5] Pursuant to Rule 10 of the *Specific Claims Tribunal Rules of Practice and Procedure*, SOR/2011-119, and upon the request of the Claimant and without opposition by the Respondent, **THE TRIBUNAL ORDERS that:**

a. The hearing of this Claim shall proceed in two separate stages, in order to deal with issues of validity and compensation, respectively;

b. The Tribunal will first hold a hearing and render its decision on the validity of the Claim (Validity Stage);

c. The second stage of this claim pertaining to compensation, including the principles of compensation and any applicable compensation criteria (Compensation Stage), will only proceed if the Claim is found to be valid. The Compensation Stage will not begin until the Validity Stage has been completed, the issue(s) of validity decided, and the Parties have exhausted any rights they may have for judicial review to the Federal Court of Appeal or appeal to the Supreme Court of Canada;

d. If the Claim is ultimately determined to be valid, the Parties will have a reasonable amount of time to gather evidence relating to compensation, including expert evidence, before the Compensation Stage begins;

e. The Parties may delay taking steps to prepare their cases on compensation until a determination is made on validity; and,

f. In relation to this Order of Bifurcation, there shall be no costs awarded to either party.

WILLIAM GRIST

Honourable William Grist