

FILE NO.: SCT-7002-11

DATE: 20121211

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:

OSOYOOS INDIAN BAND

Claimant

- and -

HER MAJESTY THE QUEEN IN RIGHT OF
CANADA

As represented by the Minister of Indian Affairs
and Northern Development

Respondent

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) Hannah McDonald, for the Claimant
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) Brian McLaughlin and Shelan Miller, for the
) Respondent
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) **HEARD :** November 29, 2012
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ENDORSEMENT

SLADE, J.

A Case Management Conference (CMC) was held via videoconference on November 29, 2012 at 4:30 P.M. EST:

[1] The Parties shall keep the Registry advised on whether a date for a hearing on compensation should be scheduled, and seek agreement on dates.

- [2] The Respondent agrees that compensation will include the costs incurred in the acquisition of the subject parcel of land and the return to reserve status.
- [3] The Claimant shall engage with the province to ascertain the price sought for the sale of the subject parcel with and without the easement and communicate the same to Respondent.
- [4] The Claimant shall provide the document granting the easement to the Respondent, together with those documents that relate to the grant of the easement over which privilege is not claimed.
- [5] The Claimant shall provide to the Respondent a list of documents in its possession or control that relate to the easement over the subject land.
- [6] After the elements of paras. [4] and [5] above have been satisfied, should the Respondent deem it necessary, it is granted leave to bring an application for disclosure with respect to documents relating to the easement.

HARRY SLADE

Justice Harry Slade
Chairperson, Specific Claims Tribunal of
Canada