

FILE NO.: SCT-5003-11
DATE: 20141209

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
MAKWA SAHGAIEHCAN FIRST)
NATION) David Knoll, for the Claimant
)
)
Claimant)
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT) Lauri Miller and David Culleton, for the
OF CANADA) Respondent
As represented by the Minister of Indian)
Affairs and Northern Development)
)
)
Respondent)
)
) **HEARD:** November 18, 2014

ENDORSEMENT

Honourable Harry Slade, Chairperson

A Case Management Conference (CMC) was held by teleconference on November 18, 2014, at 3:00 P.M., Eastern Time (Ottawa).

[1] The Parties shall create a work plan with a timetable for the completion of the listing of documents in relation to each claim, including: a Common Book of Documents, an Agreed

Statement of Facts and an Agreed Statement of Issues. If the Parties are unable to agree on target dates, a CMC shall be scheduled.

[2] The Respondent shall provide the Claimant with a written request for particulars on or before **November 25, 2014**.

[3] The Claimant shall provide any particulars it considers appropriate within 14 days of receiving the Respondent's request. If the Claimant challenges the need to provide certain particulars, it shall notify the Respondent. If there are particulars that require more time to provide, the Claimant shall notify the Respondent on how long it anticipates it will need.

[4] If any issues arise from the Claimant's perspective in relation to whether the Respondent's request of specific particulars is warranted, the Claimant shall contact the Tribunal to convene a distinct CMC, in advance of the CMC scheduled for January 20, 2015, in order to resolve such issues by way of Tribunal direction in order to prevent the Tribunal from having to determine the issue on a formal application, if possible.

[5] The Claimant shall consider whether it will introduce expert evidence in light of the Respondent's request for particulars. The Claimant shall advise the Respondent of whether it shall rely on expert evidence on or before **January 16, 2015**.

[6] The Parties shall provide a Joint Brief, if possible (otherwise separate Briefs), on timelines for the matters set-out in paragraph 3(a-f) of the Respondent's Brief for this CMC, dated November 7, 2014, on or before **January 16, 2015**. The Claimant shall report on paragraph 3(g) of Respondent's CMC Brief, dated November 7, 2014.

[7] The Parties shall discuss whether the issues of validity and compensation should be bifurcated, and shall advise the Tribunal on or before **January 16, 2015**.

[8] The Claimant shall be prepared to discuss, at the next CMC, whether it will be calling an expert witness and/or filing an expert report.

[9] The next CMC shall be held by teleconference on **January 20, 2015, at 2:00 P.M., Eastern Time (Ottawa)**.

HARRY SLADE

Honourable Harry Slade, Chairperson