

**FILE NO.:** SCT-7001-14  
**DATE:** 20161028

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
TOBACCO PLAINS INDIAN BAND	)	Rhaea Bailey and Mary Mollineaux, for the
	)	Claimant
	)	
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Indian	)	Kelly Keenan and Michael Mladen, for the
Affairs and Northern Development	)	Respondent
	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	<b>HEARD:</b> October 13, 2016

**ENDORSEMENT**

**Honourable Barry MacDougall**

A Case Management Conference (CMC) was held by teleconference on October 13, 2016, at 1:00 P.M., Eastern Time (Ottawa).

[1] As requested by the Parties, the Respondent is granted leave to serve its expert report on the Claimant on or shortly after the date of this CMC.

[2] At the next CMC, the Parties shall report on whether an agreement on historical compensation for both the Customs Lands Claim (as defined in Canada's Response) and the Water Right-of-Way Claim (as defined in Canada's Response) has been reached, and whether such agreement may eliminate the need for expert testimony during phase 1 of the Validity Hearing on the Claim.

[3] Prior to the next CMC, should expert testimony not be required, the Parties shall consider their availability in December of 2016 for the phase 1 hearing.

[4] Prior to the next CMC, should expert testimony be required, the Parties shall canvass their expert's availability for the phase 1 hearing.

[5] Prior to the next CMC, the Claimant shall propose for discussion:

- i) a protocol for a site visit;
- ii) a filing schedule for the two phases of the Validity Hearing; and,
- iii) an Oral History Protocol.

[6] The Claimant advised that a translator will not be required for its two witnesses.

[7] The next CMC will be held by teleconference on **November 1, 2016**, at 1:00 P.M., Eastern Time (Ottawa).

BARRY MACDOUGALL

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Honourable Barry MacDougall