

FILE NO.: SCT-7001-12
DATE: 20140930

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
TSLEIL-WAUTUTH NATION)	
)	Stan H. Ashcroft, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	James M. Mackenzie and Naomi Wright, for
Affairs and Northern Development)	the Respondent
)	
)	
Respondent)	
)	
)	
)	
)	
)	
)	HEARD: September 24, 2014

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by videoconference on September 24, 2014, at 4:30 P.M., Eastern Time (Ottawa).

[1] The Claimant reported that it had received and produced its expert report on the effect of the Great Depression on the earlier agreed base fair market value of the subject land and that it

intended to present its expert at the hearing and rely on his conclusions. As a result, the Respondent has retained a responding expert who is expected to deliver his report in late 2014 or early 2015. The Claimant has also retained its “bring forward” expert and the Respondent is presently in the process of doing the same. It is not known at this time when these experts’ reports will be completed. The Parties have exchanged the curricula vitae of their respective experts but they reserve the right to challenge expertise once they have had the opportunity to review the reports. This is reasonable and will be revisited at a time closer to hearing.

[2] The Parties jointly retained Joan Holmes and Associates to tabulate and report on the Claimant’s trust accounts up to 2006. After 2006 the Claimant assumed responsibility for management of its own financial affairs and accordingly the Respondent ceased exercising that responsibility and no longer had access to the Claimant’s financial information. The Parties indicated that they had reached agreement on how the information could be shared with the Respondent and Joan Holmes and Associates. As a result, within 15 days of this CMC, the Claimant is to produce copies of its annual audited financial statements for 2007 and later to the Respondent so that it may satisfy itself as to the adequacy of the information for purposes of Joan Holmes and Associates continuing work on the jointly commissioned report. The Respondent undertook to maintain confidentiality in respect of the contents of the audited financial statements produced.

[3] There was consensus that preparation of an Agreed Statement of Facts, an Agreed Statement of Issues and a Common Book of Documents must await the completion of the various reports in process in order to assure that no further documentary research will be necessary. This subject will be addressed again at the next CMC.

[4] The next CMC will be held by teleconference on January 28, 2015, at 2:00 P.M., Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen