

**FILE NO.:** SCT-4001-12 and SCT-4001-13  
**DATE:** 20151221

**SPECIFIC CLAIMS TRIBUNAL**  
**TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

**BETWEEN:** )  
)  
WAYWAYSEECAPPO FIRST NATION )  
) J.R. Norman Boudreau and Earl C.  
Claimant ) Stevenson, for the Claimant  
)  
- and - )  
)  
HER MAJESTY THE QUEEN IN RIGHT )  
OF CANADA ) Paul Anderson and Kristine Whittaker, for  
As represented by the Minister of Indian ) the Respondent  
Affairs and Northern Development )  
Respondent )  
)  
)  
**AND BETWEEN:** )  
)  
GAMBLERS FIRST NATION ) Stephen M. Pillipow and Adam Touet, for  
Claimant ) the Claimant  
)  
- and - )  
)  
HER MAJESTY THE QUEEN IN RIGHT )  
OF CANADA ) Paul Anderson and Kristine Whittaker, for  
As represented by the Minister of Indian ) the Respondent  
Affairs and Northern Development )  
Respondent )  
)  
)  
) **HEARD:** December 15, 2015  
)

## **ENDORSEMENT**

### **Honourable W.L. Whalen**

A Case Management Conference (CMC) was held by teleconference on December 15, 2015, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Claimants have circulated draft Agreed Statements of Fact but the Respondent has not yet responded. The Respondent takes the position that any present response could only be focused on very basic facts that are not likely in dispute. Such a response would be superficial and inefficient. It is better to do a concentrated and comprehensive response when document production is complete and expert reports have been finalized. The matter will be reviewed at the next CMC.

[2] The Respondent reported that it has reviewed the lists of documents produced by the Claimants, including by their experts, for inclusion in the Common Book of Documents. It has been comparing those lists with its own initial list of documents in order to identify gaps. In addition, the Respondent has been conducting further document research to fill gaps that it has identified. The Respondent will provide the Claimants with a response regarding its initial list of documents by the end of January, 2016 and with its list of documents identified in its gap analysis by the end of February, 2016. The likelihood of the Respondent's expert identifying further documents will be considered at the next CMC.

[3] The Respondent reported that it was very near completion of retaining an expert to prepare a responding report. The Respondent expects it will commence work by the end of February, 2016. Progress of the Respondent's expert will be reviewed at the next CMC.

[4] The Parties are requested to develop a plan and timeline for the transcription of illegible documents. The subject will be considered at the next CMC.

[5] The next CMC will be held by teleconference on **April 22, 2016**, at 12:00 P.M., Eastern Time (Ottawa).

W.L. WHALEN

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Honourable W.L. Whalen