

FILE NO.: SCT-5001-13
DATE: 20170519

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
KAWACATOOSE FIRST NATION,)
PASQUA FIRST NATION, PIAPOT) David Knoll, for the Claimants
FIRST NATION, MUSCOWPETUNG)
FIRST NATION, GEORGE GORDON)
FIRST NATION, MUSKOWEKWAN)
FIRST NATION AND DAY STAR FIRST)
NATION)
Claimants)
)
- and -)
)
STAR BLANKET FIRST NATION) Aaron B. Starr and Galen Richardson, for the
Claimant) Claimant
)
)
- and -)
)
LITTLE BLACK BEAR FIRST NATION)
Claimant) Aaron Christoff and Ryan Lake, for the
Claimant)
)
)
- and -)
)
STANDING BUFFALO DAKOTA FIRST)
NATION)
Claimant) Mervin C. Phillips and Leane Phillips, for
the Claimant)
)
)
- and -)
)
PEEPEEKISIS FIRST NATION)
Claimant)
)
)
T.J. Waller, Q.C., for the Claimant)
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- and -)
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HER MAJESTY THE QUEEN IN RIGHT)
 OF CANADA)
 As represented by the Minister of Indian)
 Affairs and Northern Development)
 Respondent) Lauri M. Miller and Donna Harris, for the
 Respondent)
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) **HEARD:** May 9, 2017

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on May 9, 2017, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Parties acknowledged that the Claimants had circulated a draft Agreed Statement of Facts. The Respondent suggested revisions but has received limited response. The draft Agreed Statement of Facts was acceptable to the Claimant, Peepeekisis First Nation. The Claimants, Star Blanket First Nation and Little Black Bear First Nation had not responded and are directed to do so on or before **June 30, 2017**. While the Claimant, Standing Buffalo Dakota First Nation had suggested revisions (to which there has been no response), it expressed concern about references in the original circulated draft that referred to documents not in the list of documents proposed for the Common Book of Documents. Other Parties may be concerned about proposed facts not apparently supported by documentation. All Parties are directed to provide in writing to all other Parties any remaining concerns about the draft Agreed Statement of Facts on or before **June 30, 2017**, or alternatively, to confirm in writing by that date that they have no concerns.

[2] The Respondent had also circulated a list of documents all Parties agreed should be included in the Common Book of Documents, plus a list of documents where there was no such agreement or that were not controversial. All the Claimants are directed to provide in writing to the Respondent any concerns regarding these lists of documents on or before **June 30, 2017**, or, alternatively, to confirm in writing by that date that they have no concerns. The Standing Buffalo

First Nation proposed the inclusion of the Nelson Survey of November 1881 in the Common Book of Documents. While the other Parties did not see the relevance of that Survey, neither did it prejudice them so they did not object to Standing Buffalo First Nation's request as a matter of convenience.

[3] It was agreed that the Parties would meet following the hearing of expert evidence and remaining oral history to finalize the Agreed Statement of Facts and Common Book of Documents.

[4] The Claimant, Little Black Bear First Nation, reported that it did not intend to rely on an expert report.

[5] A hearing will be held at Fort Qu'Appelle in respect of Standing Buffalo First Nation's expert and the two oral history witnesses who could not attend at the previous oral history evidence hearing. The hearing will commence at 10:00 A.M., on **July 24, 2017** and continue through **July 26, 2017**. No translators will be required.

[6] In recognition of the sensitivity of the sub-phase issues as amongst the various Parties that are Claimants, the Tribunal invited the Parties to consider the merits of a culturally acceptable form of mediation or dispute resolution prior to a hearing on the sub-phase question.

[7] The next CMC will be held by teleconference on **September 27, 2017**, at 12:00 P.M., Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen