

FILE NO.: SCT-5001-11
DATE: 20190220

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
BEARDY'S & OKEMASIS BAND #96)
AND #97) Ron S. Maurice, Steven W. Carey and Amy
) Barrington, for the Claimant
)
Claimant)
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT)
OF CANADA) Lauri M. Miller, for the Respondent
)
As represented by the Minister of Indian)
Affairs and Northern Development)
)
Respondent)
)
- and -)
)
JAMES SMITH CREE NATION ON)
BEHALF OF THE CHAKASTAYPASIN) Ron S. Maurice, for the Intervenors
BAND OF THE CREE NATION, LITTLE)
PINE FIRST NATION, LUCKY MAN)
FIRST NATION, MOSQUITO GRIZZLY)
BEAR'S HEAD LEAN MAN FIRST)
NATION, ONE ARROW FIRST)
NATION, ONION LAKE CREE)
NATION, POUNDMAKER CREE)
NATION, RED PHEASANT FIRST)
NATION, SWEETGRASS CREE)
NATION, YOUNG CHIPPEWAYAN)
FIRST NATION AND THUNDERCHILD)
FIRST NATION)
)
)
Intervenors)

ORDER

Honourable Harry Slade, Chairperson

WHEREAS the Tribunal awarded compensation to the Claimant and permitted the Parties to file written submissions on costs by way of Reasons for Decision dated December 23, 2016, and:

- a) the Parties submitted written submissions on costs to the Tribunal, and the Tribunal issued an Order on December 14, 2017 adjourning the hearing on the issue of costs of this Claim to allow the Parties to have a mediator assist in mediating a resolution of the costs;
- b) the mediation of the costs took place February 1 and 2, 2018;
- c) the Parties entered a tentative agreement to settle the matter of costs, subject to approval by authorized representatives of the Parties;
- d) the authorized representatives of the Parties have each approved the tentative agreement to settle the matter of costs;
- e) the Claimant represents that it bore the costs to proceed to a Tribunal hearing on its own behalf and to assist the Intervenors referred to in the style of cause assert Rebellion-related treaty annuity payment claims, and the Tribunal's findings and rulings made settlement of all those claims possible;
- f) the Parties have agreed that payment of costs ordered herein is a final disposition of all costs incurred by the Claimant and Intervenors in relation to the proceedings before the Tribunal, and the Claimant has agreed that the representations and evidence it has provided to the Respondent may be disclosed and relied upon by the Respondent to avoid a duplication of costs incurred by other First Nations to assert claims under Canada's Specific Claims Policy for Rebellion-related treaty annuity payments;

g) the Respondent has provided Maurice Law, Claimant's Counsel, with a cheque for the full amount of costs as set out in the Settlement Agreement. The cheque is being held by Maurice Law in trust pending issuance of this Consent Order;

THE TRIBUNAL ORDERS THAT:

The Respondent pay costs to the Claimant pursuant to the Settlement Agreement as a final disposition of the Claimant's claim for costs and makes this Consent Order in accordance with the *Specific Claims Tribunal Act*, paragraph 13(1)(d).

HARRY SLADE

Honourable Harry Slade, Chairperson