

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

Date: 20120703

Docket: SCT-7003-11

OTTAWA, ONTARIO July 3, 2012

PRESENT: The Honourable Justice Slade

BETWEEN:

KITSELAS FIRST NATION

Claimant

and

HER MAJESTY THE QUEEN IN THE RIGHT OF CANADA

Respondent

ORDER

Pursuant to Rule 10 of the *Specific Claims Tribunal Rules of Practice and Procedure*, and upon the request of the parties, **THIS TRIBUNAL ORDERS that:**

1. the hearing of this claim will proceed in separate stages;
2. the issues of validity and compensation will be bifurcated, and that the Tribunal will determine the validity of the claim first by holding a hearing and rendering its decision;
3. the second stage of this claim pertaining to compensation, if necessary, will not begin until the issue of validity is decided and the parties have exhausted any rights they may have for judicial review to the Federal Court of Appeal or appeal to the Supreme Court of Canada;

4. if the claim is determined to be valid, the parties will have a reasonable time to gather evidence relating to compensation, including expert evidence;
5. the parties will take steps to prepare their case on compensation only if the claim is finally determined to be valid;
6. should one of the parties seek judicial review of the Tribunal's decision on validity by the Federal Court of Appeal, that party will provide notice to the Tribunal via email of significant steps taken in the application for judicial review; and
7. should one of the parties appeal the Federal Court of Appeal's decision to the Supreme Court of Canada, that party will provide notice to the Tribunal via email of significant steps in the appeal.

HARRY SLADE

Harry Slade
Chairperson, Specific Claims Tribunal