

**FILE NO.:** SCT-7005-12

**DATE:** 20121210

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

**BETWEEN:**

AHOUSAHT FIRST NATION

Claimant

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)  
) Stan Ashcroft, for the Claimant  
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)  
)

**- and -**

HER MAJESTY THE QUEEN IN RIGHT OF  
CANADA

As represented by the Minister of Indian Affairs  
and Northern Development

Respondent

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) Tanya Jorgenson and Amber Elliot, for the  
) Respondent  
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**ORDER**

**SMITH, J.**

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

[1] the hearing of this claim proceed in two separate stages;

[2] the Tribunal first hold a hearing and render its decision on the validity of the claim;

- [3] the Tribunal, if necessary, hold a second hearing and render its decision on the issue of any compensation that may be owed to the Claimant;
- [4] the hearing on 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;
- [5] if the claim is ultimately determined to be valid, the parties will have a reasonable time to gather evidence relating to compensation, including expert evidence;
- [6] the parties will take steps to prepare their case on compensation only if the claim is finally determined to be valid;
- [7] should one of the parties seek judicial review of the Tribunal's decision on validity to 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
- [8] 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.

PATRICK SMITH

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Justice Patrick Smith  
Specific Claims Tribunal of Canada