

FILE NO.: SCT-5002-14
DATE: 20151223

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
KINISTIN SAULTEAUX NATION)
) Bruce J. Slusar, for the Claimant
)
Claimant)
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT)
OF CANADA)
As represented by the Minister of Indian) Daniel J. Kuhlen, for the Respondent
Affairs and Northern Development)
)
Respondent)
)
)
)
) **HEARD:** December 16, 2015

ENDORSEMENT

Honourable W. L. Whalen

A Case Management Conference (CMC) was held by teleconference on December 16, 2015, at 11:30 A.M., Eastern Time (Ottawa).

[1] As a result of discussion in respect of document production, the Claimant is directed to: (a) produce its current list of documents to the Respondent by **December 31, 2015**, and; (b) produce such further documents resulting from its expert's report by **February 29, 2016**.

[2] The Parties confirmed that they had agreed to wording amending paragraphs 33 and 34 of the Declaration of Claim. An Amended Declaration of Claim is to be served and filed with the Tribunal by **December 31, 2015** with the Respondent filing its Response in the usual manner.

[3] The Claimant reported that it expects its expert's report will be finalized and produced on or before **February 29, 2016**. The Respondent indicated that it had retained an expert to prepare a responding report and that the expert will commence work on the report by **April 1, 2016**. Progress on the preparation of expert reports will be reviewed at the next CMC.

[4] The Parties have been working on the terms of an Oral History Protocol, which is to be agreed to and filed with the Tribunal on or before the next CMC. The matter will be reviewed at the next CMC.

[5] The Claimant has not been able to complete Will-Say statements for its proposed oral history witnesses, but expects to produce the Will-Say statements on or before the next CMC.

[6] The Claimant proposes that an oral history hearing be held to receive oral history testimony. The Respondent presented no objection to this proposal. The Claimant is asked to provide the Registry with the contact information for a local facilitator who can provide details of the proposed site where the hearing will take place, assist with preparations and advise on accommodations for Tribunal staff. The Parties are also requested to provide the Registry with a list of acceptable interpreters (with contact information) if translation will be required.

[7] The Tribunal expressed reluctance to schedule a date for an oral history hearing until the Oral History Protocol has been agreed to and filed, and until the Will-Say statements of the proposed witnesses have been produced and filed. The matter will be reviewed at the next CMC.

[8] There was a discussion on bifurcation and possible mediation pursuant to the Tribunal's *Rules*. In particular, the option of bifurcation with historical value being part of a validity hearing

was discussed. The Parties wished to discuss these issues further and will report on progress at the next CMC.

[9] The next CMC will be held by teleconference on **February 15, 2016**, at 1:00 P.M. Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen