

**FILE NO.:** SCT-5002-15  
**DATE:** 20170525

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
CARRY THE KETTLE BAND # 378	)	
	)	Ryan M. Lake, Steven W. Carey and Emily
	)	Guglielmin, for the Claimant
Claimant	)	
	)	
<b>- and -</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Indian	)	Donna Harris, for the Respondent
Affairs and Northern Development	)	
	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	<b>HEARD:</b> May 18, 2017

**ENDORSEMENT**

**Honourable Paul Mayer**

A Case Management Conference (CMC) was held by teleconference on May 18, 2017, at 4:30 P.M., Eastern Time (Ottawa).

[1] The Claimant reported that further to another scheduled meeting in the community to be held on May 31, 2017, it may require another one or two meetings after May 31<sup>st</sup> to determine the final number of witnesses for its oral history evidence hearing. There is a high level of

interest in the community and a number of Elders have come forward. The Claimant expects these meetings to be wrapped up by the middle of summer.

[2] The Claimant shall file a letter with the Tribunal as soon as it has determined the number of witnesses it intends to call and shall also indicate the number of days required and proposed dates it might hold the oral history evidence hearing, possibly for sometime in early Fall of 2017.

[3] The Parties reported that they had agreed on April 14, 2017 to a joint list of questions which have since been provided to their respective historical experts whose reports are already underway. The Parties' experts are on track to exchange their respective reports by September 15, 2017, as set out in their Joint Plan of Proceeding. The Parties shall serve and file their respective expert reports on or before **September 15, 2017**.

[4] The Joint Plan of Proceeding also sets out that the Parties are to serve and file expert reports in response on or before December 15, 2017, and to advise each other and the Tribunal of the necessity of reply expert reports on or before December 31, 2017. The Tribunal encouraged the Parties to again consider the possibility of their experts "hot tubbing" after their first reports are completed, in case they might be able to resolve any issues as between their reports.

[5] The Claimant remains opposed to bifurcation. The Claimant indicated that another Claimant which it also represents before the Tribunal, Keeseekoose First Nation (SCT-5001-16), is expecting a pending interlocutory decision from the Tribunal on whether that claim shall be bifurcated or not. The Claimant noted that this other claim is factually similar and that the result of that pending decision could avoid the duplication of bifurcation application proceedings for this Claim. The Respondent took no issue with awaiting that decision and the Parties agreed that the positions and arguments advanced in that claim would be essentially the same for this Claim in any event.

[6] The Registry will contact the Parties to schedule the next CMC which may occur within 30 days of receiving the Claimant's above noted letter regarding the anticipated scheduling of the oral history evidence hearing, subject to the availability of the Parties over the summer but

recognizing the goal to plan for and settle on an oral history evidence hearing sooner rather than later.

PAUL MAYER

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Honourable Paul Mayer