

FILE NO.: SCT-7002-14
DATE: 20190222

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

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| BETWEEN: |) | |
| |) | |
| SISKA INDIAN BAND |) | Kirk Gehl, for the Claimant |
| |) | |
| |) | |
| |) | |
| |) | Claimant |
| |) | |
| – and – |) | |
| |) | |
| HER MAJESTY THE QUEEN IN RIGHT |) | |
| OF CANADA |) | James Mackenzie and James Rendell, for the |
| As represented by the Minister of Indian |) | Respondent |
| Affairs and Northern Development |) | |
| |) | |
| |) | |
| |) | Respondent |
| |) | |
| |) | |
| |) | HEARD: February 7, 2019 |

ENDORSEMENT

Honourable Harry Slade, Chairperson

A Case Management Conference (CMC) was held by teleconference on February 7, 2019, at 2:00 P.M., Eastern Time (Ottawa).

[1] The Parties reported that they may be able to reach an agreement on current unimproved market value and loss of use matters addressed in the reports of their respective experts, Rod Cook and John Peebles. If the Parties are unable to reach an agreement, they anticipate that they

may each instruct their respective experts to prepare reply reports, in which case the reply reports will be served and filed with the Tribunal on or before **May 31, 2019**.

[2] The Claimant will serve and file with the Tribunal the expert historical report of Ryan Blaak on or before **February 25, 2019**.

[3] After receiving Mr. Blaak's report, the Respondent will determine whether a responding report is necessary.

[4] The Parties will discuss dates for the hearing of the above noted expert evidence, and will notify the Registry of their preferred dates by joint letter. The timeframes discussed were July 2019 or September 2019. The Tribunal noted that if the Respondent prepares a responding report to Mr. Blaak's report, the selected dates may require adjustment to ensure that all of the expert evidence referred to in paragraphs 1 to 3 is heard together.

[5] The Parties preferred not to schedule hearing dates for the expert evidence hearing on how historical values should be brought forward to the present until after they have either reached an agreement on historical values or have had a determination of those issues by the Tribunal, and after the Parties have had an opportunity to assess whether preparing expert evidence on how to bring forward historical values will be necessary.

[6] The Claimant reported that it is awaiting a response to its December 10, 2018, letter to the Honourable Minister Carolyn Bennett regarding costs arising from the validity phase of the Claim. The Claimant will notify the Registry if it wishes to set dates for a hearing of its Application for Costs. If the Application proceeds to a hearing, the Tribunal Member who will hear the Application for Costs will be Justice Grist.

[7] The next CMC will be held after the Registry receives the joint letter from the Parties indicating their preferred dates for the expert evidence hearing mentioned in paragraph 4, and after February 25, 2019. After receiving the Parties' joint letter, the Registry will contact the Parties to determine their preferred date and time.

HARRY SLADE

Honourable Harry Slade, Chairperson