

FILE NO.: SCT-5004-11
DATE: 20130828

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
KAHKEWISTAHAW FIRST NATION)	
)	Stephen M. Phillipow and Adam Touet, for
)	the Claimant
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Lauri Miller and Donna Harris, for the
Affairs and Northern Development)	Respondent
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: August 27, 2013

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on August 27, 2013 at 11:00 A.M., Eastern Time (Ottawa).

[1] Counsel reported that they had prepared an Agreed Statement of Issues. They are hopeful they may also be able to prepare an Agreed Statement of Facts and a Common Book of Documents. However, efforts on these last two items had to be suspended pending the Respondent's efforts to locate Orders in Council and other pertinent documents.

[2] Respondent's Counsel advised that her researcher had just located over 100 Orders in Council and Band Council Resolutions previously unknown. She has just received these new documents and is in the process of reviewing and preparing them for delivery to Claimant's Counsel. She indicated that her research is ongoing but should be completed by the end of October 2013.

[3] The Respondent is directed to deliver to the Claimant copies of documents newly discovered to date by or before October 4, 2013. The Respondent is also directed to advise Claimant's Counsel of any further documents discovered through research, which is to be complete by October 31, 2013.

[4] A further Case Management Conference will be held on Thursday, November 7, 2013, at 11:00 A.M., Eastern time. The agenda at that CMC will include: a timetable for delivery of any outstanding documents discovered through the Respondent's research after August 26, 2013; the time required for the Claimant to digest documents disclosed by new research, and; the prospects of and a timetable for the preparation and delivery of an Agreed Statement of Facts and a Common Book of Documents.

[5] It is hoped that a further CMC may then be scheduled for early 2014 to consider: the prospects of mediation; a tentative timetable for preparation and disclosure of expert reports; initial discussion about the nature of the evidence to be called at a hearing (reports, viva voce, etc.), and; preliminary consideration of the time necessary for hearing and location of hearing.

[6] The goal of the parties and the Tribunal is to schedule a hearing for the Spring 2014.

W.L. WHALEN

Honourable W.L. Whalen
Specific Claims Tribunal Canada