

FILE NO.: SCT-5003-13
DATE: 20140530

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
SAULTEAUX FIRST NATION)	
)	Sheryl A. Manychief, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Lauri M. Miller and David Culleton, for the
Affairs and Northern Development)	Respondent
)	
)	
Respondent)	
)	
)	
)	
)	
)	HEARD: May 29, 2014

ENDORSEMENT

Honourable W.L. Whalen

The first Case Management Conference (CMC) was held by teleconference on May 29, 2014, at 1:30 P.M., Eastern Time (Ottawa).

[1] The Respondent agreed that this Claim was properly before the Tribunal and that the Tribunal had jurisdiction to deal with it.

[2] The Claimant has engaged Mr. Stan Lore as an appraisal expert to value the land in dispute in aid of demonstrating that the subject surrender was improvident or exploitative. He has made a preliminary assessment and will prepare a full appraisal, which the Claimant will produce to the Respondent if it intends to rely upon it at the hearing of the Claim. The Claimant does not know when Mr. Lore's final report will be delivered. The Respondent will likely require an expert to respond to Mr. Lore's report, but cannot make that determination until the report has been produced.

[3] The Claimant intends to present elder/oral history. It reported that it had already interviewed some elders. These unsworn interviews had been video-recorded and the videos have been produced to the Respondent. Most of the recorded witnesses are still alive. The Claimant indicated that it intended to present further testimony by elders who it identified during the CMC. It is expected that these elders will present evidence of a mixed direct and oral history nature. The Claimant has engaged an experienced interviewer to conduct the interviews. Two further unidentified elders may also be interviewed on a "stand-by" basis. The Parties will adopt a protocol for the development and presentation of elder evidence. The question of "will-says", "will-asks" and other requirements in connection with the presentation of the intended elder evidence will be discussed at the next CMC.

[4] A Notice pursuant to Section 22 of the *Specific Claims Tribunal Act* will be served upon the Province of Saskatchewan.

[5] The Claimant indicated that it would require interpreters in respect of the anticipated elder evidence at the hearing. The interpreter(s) must be capable in the translation of Saulteaux/English and Cree/English. The Claimant has a proposal for the provision of this service. It will provide the Respondent with the details of its requirements and the proposed service, and Counsel for the Parties will discuss the same with a view to arriving at a consensus by the time of the next CMC.

[6] The Parties reported their belief that production of documents is complete. At this time neither party has further documents to disclose. However, it is possible that Mr. Lore may find

further documents. The Parties indicated that they were prepared to work cooperatively in the preparation of a Common Book of Documents, an Agreed Statement of Issues and an Agreed Statement of Facts. However, this cannot be completed until Mr. Lore's report has been delivered.

[7] Neither party anticipates that there will be an interim application at this time. One area where an application may arise is in respect of the Claimant's intended elder testimony although that cannot be determined until the nature of that evidence has been fully disclosed.

[8] The question of bifurcating the Claim is premature, but will be revisited when Mr. Lore's report has been produced.

[9] The Claimant proposes that the hearing be held in the community at a community centre that should be adequate to the needs of the Tribunal. The Respondent does not object to the proposed place of hearing. The details of the hearing will be discussed in due course.

[10] The next CMC will be held by teleconference during the week of September 22, 2014, on a date and at a time to be co-ordinated by the Registry.

W.L. WHALEN

Honourable W.L. Whalen