

FILE NO.: SCT-5002-14
DATE: 20151008

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
KINISTIN SAULTEAUX NATION)	
)	Bruce Slusar, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Daniel Kuhlen, for the Respondent
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: October 1, 2015

ENDORSEMENT

Honourable W. L. Whalen

A Case Management Conference (CMC) was held by teleconference on October 1, 2015, at 11:20 A.M., Eastern Time (Ottawa).

[1] The Parties reported that documents have been produced, except for any documents that may come to light through the investigation of their experts.

[2] The Parties reported that they are still negotiating the wording to address the Respondent's concerns that paragraphs 33 and 34 of the Declaration of Claim may fall within the exclusion in section 15(1)(f) of the *Specific Claims Tribunal Act*. The Parties are working cooperatively and are hopeful that they will resolve the question on their own. Progress will be reviewed at the next CMC.

[3] On July 20, 2015, the Province of Saskatchewan responded to the Section 22 Notice served upon it, advising the Tribunal that it will not be seeking party status or intervening in this proceeding.

[4] The Claimant reported that it has disclosed the identity of its expert to the Respondent, provided a copy of the expert's *curriculum vitae* and the terms of reference upon which the expert has been engaged. The Claimant is hopeful that it will receive the expert's preliminary report by the middle of December 2015, and a final report by the end of January 2016. The Respondent indicated that it would likely engage a responding expert. Progress on expert reports will be reviewed at the next CMC.

[5] The Claimant reported that the same expert had interviewed potential oral history and direct witnesses between September 15 and 17, 2015. Eight potential witnesses have been identified (six elders and two individuals who are not members of the Band). Will-says shall be produced and provided to the Respondent on or before **December 16, 2015**.

[6] The Parties agree that a hearing to receive the testimony of the oral history and direct witnesses is appropriate. The matter will be revisited at the next CMC, including the timing, location and translation requirements for the hearing.

[7] The Respondent reported that it has provided the Claimant with a proposed draft Oral History Protocol. The Claimant is in the process of reviewing the draft. The Oral History Protocol is to be agreed upon and filed on or before **December 16, 2015**.

[8] The Parties are still considering the question of bifurcation, which will be revisited at the next CMC.

[9] The next CMC will be held by teleconference on December 16, 2015, at 11:30 A.M. Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen