

FILE NO.: SCT-4002-15
DATE: 20160613

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

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|--|---|---|
| BETWEEN: |) | |
| |) | |
| GAMBLERS FIRST NATION |) | |
| |) | Stephen Pillipow and Adam Touet, for the |
| Claimant |) | Claimant |
| |) | |
| – and – |) | |
| |) | |
| HER MAJESTY THE QUEEN IN RIGHT |) | |
| OF CANADA |) | |
| As represented by the Minister of Indian |) | Paul Anderson and Kristine Whittaker, for |
| Affairs and Northern Development |) | the Respondent |
| |) | |
| Respondent |) | |
| |) | |
| – and – |) | |
| |) | |
| WAYWAYSEECAPPO FIRST NATION |) | |
| |) | J.R. Norman Boudreau and Earl Stevenson, |
| Applicant |) | for the Applicant |
| |) | |
| |) | |
| |) | HEARD: June 6, 2016 |

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on June 6, 2016, at 11:00 A.M., Eastern Time (Ottawa).

[1] Waywayseecappo First Nation asked that SCT-4001-12 and SCT-4001-13 be adjourned *sine die* so that it could enter into negotiations with Canada on resolution without the necessity of

litigation, but with right to revive the litigation if negotiations failed. The other Parties were not prepared to consent to Waywayseecappo First Nation's request for adjournment. In the absence of consent, the Tribunal indicated that an Application would be necessary.

[2] There was also the matter of the Waywayseecappo First Nation's outstanding Application for Party Status in SCT-4001-15 and SCT-4002-15, to which Gamblers First Nation had not yet responded. There was consensus that it was not necessary to deal with either Application until the Respondent's expert reports had been received. This would save time and resources, and would give Waywayseecappo First Nation time to consider its position if its overture for negotiation was taken up or not.

[3] The Respondent reported that it had conducted further document research and that it expected to be able to deliver more documents by the end of June 2016. At the next CMC progress on production of further documents will be reviewed together with whether there is a question of admissibility.

[4] The Respondent reported that its expert, Dr. McHugh, will not be able to complete and deliver his report until December 2016. The Respondent expects its expert, Dr. Evans, will complete his report sometime in the fall of 2016. Progress of the Respondent's expert reports will be reviewed at the next CMC.

[5] Waywayseecappo First Nation is directed to advise the Parties and the Tribunal of its intentions with respect to adjourning SCT-4001-12 and SCT-4001-13, *sine die*; and, whether it intends to proceed with its Application for Party Status, filed on March 17, 2016, in file numbers SCT-4001-15 and SCT-4002-15, on or before **September 16, 2016**.

[6] The next CMC will be held by teleconference on **December 5, 2016**, at 11:00 A.M., Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen