

**FILE NO.:** SCT-7003-14  
**DATE:** 20150416

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
WE WAI KAI NATION	)	Allan Donovan and Niki Sharma, for the
	)	Claimant
	)	
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Indian	)	John Russell, Richelle Rae and Isabelle
Affairs and Northern Development	)	Jackson, for the Respondent
	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	<b>HEARD:</b> April 15, 2015

**ENDORSEMENT**

**Honourable Johanne Mainville**

A Case Management Conference (CMC) was held by teleconference on April 14, 2015, at 1:30 P.M. Eastern Time (Ottawa).

[1] The Claimant shall provide a new version of the draft Agreed Statement of Facts to the Respondent on or before **April 22, 2015**.

[2] The Respondent provided the Claimant with a responding proposed Agreed Statement of Facts in February 2015, but did not provide details on the BC Reserve Creation Process and on a matter identified as Miscellaneous. The Respondent explained that these matters are subject to on-going additional documentary research, which should be finalized by the end of May 2015. The Respondent shall provide its draft to the Claimant on the BC Reserve Creation Process and the matter identified as Miscellaneous by the end of May.

[3] The Parties disagree upon the content of the proposed Statement of Issues that was exchanged between them. The Claimant shall identify the primary issues and draft a new Agreed Statement of Issues to provide to the Respondent on or before **April 30, 2015**.

[4] The Parties shall meet by **May 15, 2015** to discuss the new draft Statement of Issues and attempt to reach an agreement on the matter.

[5] The Respondent shall identify the pertinent pages of the Annual Reports contained in their list of documents to the Claimant on or before **May 15, 2015**.

[6] The Respondent shall provide a draft list of documents for the Common Book of Documents to the Claimant after the additional documentary research is completed. The list shall be provided to the Claimant on or before **July 31, 2015**.

[7] The Respondent advised the Tribunal and the Claimant that there is a possibility of some amendments to the Response after the on-going documentary research is completed.

[8] The Claimant advised the Tribunal and the Respondent of its intention to present evidence from at least two witnesses with knowledge of the We Wai Kai's traditional and historic use of Rebecca Spit and of the reserve creation process for the area. The Respondent wishes to obtain Will Say Statements. The Claimant shall provide Will Say Statements to the Respondent on or before **September 15, 2015**.

[9] The Respondent advised the Tribunal and the Claimant that it has chosen David Bazett, BC Land Surveyor and Canada Land Surveyor of Courtenay, to act as an expert surveyor. The Respondent shall mandate its expert who will start working on its report as soon as possible. The Respondent's Expert Report shall be filed and served on or before **October 30, 2015**.

[10] The next CMC will be held by teleconference on **November 5, 2015**, at 4:30 P.M., Eastern Time.

JOHANNE MAINVILLE

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Honourable Johanne Mainville