

FILE NO.: SCT-7001-13

DATE: 20140424

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:

HALALT FIRST NATION

Claimant

– and –

HER MAJESTY THE QUEEN IN RIGHT
OF CANADA

As represented by the Minister of Indian
Affairs and Northern Development

Respondent

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) Jenny Biem, for the Claimant
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) Judith Hoffman and Deborah McIntosh, for
) the Respondent
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) **HEARD:** April 3, 2014

AMENDED ENDORSEMENT

Honourable Harry Slade, Chairperson

A Case Management Conference (CMC) was held by teleconference on April 3, 2014, at 1:00 P.M., Eastern Time (Ottawa).

[1] The Claimant shall provide the Registry with a brief memorandum stating when they anticipate providing the Respondent with the draft Agreed Statement of Facts. If the Parties are unable to agree on dates, they are to contact the Registry to schedule a CMC.

[2] On the issue of the validity of the claim:

- a. The Claimant shall provide the Registry with a Memorandum of Fact and Law on the validity of the claim no later than May 12, 2014.
- b. The Respondent shall provide the Registry with a reply Memorandum of Fact and Law on the validity of the claim no later than June 12, 2014.
- c. The Claimant shall provide a Reply, if any, no later than June 18, 2014. A reply is limited to any new matters arising from the Respondent's Response to the Claimant's Memorandum of Fact and Law.

[3] On the issue of The Tribunal's jurisdiction to hear claims of injurious affection:

- a. The Respondent shall provide the Registry with a Memorandum of Fact and Law, attached to an Application, regarding the Tribunal's jurisdiction to hear injurious affection no later than May 12, 2014.
- b. The Claimant shall provide the Registry with a responding Memorandum of Fact and Law on the Tribunal's jurisdiction to hear injurious affection no later than June 12, 2014.

[4] The Claimant shall advise the Respondent if the proposed interpreter has any immediate family that are members of the Halalt First Nation.

[5] The Parties confirmed that the consensus reached to date with respect to the statutory framework applicable to the issues on the claim, and Canada's position put forward in its March 28, 2014 CMC brief, are advanced for the purposes of narrowing the issues of the Halalt claim only, and that per Rule 50 of the *Specific Claims Tribunal Rules of Practice and Procedure*, Canada takes this position on a without prejudice basis, preserving the right to take a different position on this issue in other proceedings.

[6] The Pre-Hearing Conference is scheduled for Thursday, June 12, 2014, at 1:00 P.M., Eastern Time (Ottawa), by teleconference. At that time Will Say Statements and the issue of equitable fraud will be discussed.

HARRY SLADE

Honourable Harry Slade, Chairperson