

FILE NO.: SCT-5002-14
DATE: 20161230

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
KINISTIN SAULTEAUX NATION)	
)	Bruce J. Slusar, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	David Smith and David Culleton, for the
Affairs and Northern Development)	Respondent
)	
)	
Respondent)	
)	
)	
)	HEARD: December 7, 2016

ENDORSEMENT

Honourable W. L. Whalen

A Case Management Conference (CMC) was held by teleconference on December 7, 2016, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Claimant reported that its draft expert report on forestry loss had been produced to the Respondent on October 17, 2016. The Claimant indicated that it was considering retaining an expert economist to quantify the monetary loss to the figures included in the expert report on forestry loss.

[2] This led to a lengthy discussion about bifurcation. The Respondent supports bifurcation but the Claimant was reluctant to make a decision on the question at this point. The Claimant is directed to state its position on bifurcation by the next CMC, failing which the Respondent should seek an Application to bifurcate the hearing on the Claim if it remains convinced that this should be done.

[3] The Respondent reported that its contract to retain the expert which it had previously reported on in June of 2016 had fallen through in September of 2016. As a result, the Respondent had to start the contracting process all over again. It suggested that the earliest the new contract could be in place was April 1, 2017, because its whole internal contracting process had to start all over. The Tribunal expressed strong displeasure at the delay and indicated that when something like this happened, the responsible authority should adjust its priorities to advance the new contract as soon as possible, rather than treating it as a completely new engagement. The Respondent is directed to expedite its expert engagement process, and to identify the expert and his/her qualifications prior to the next CMC.

[4] The Claimant reported that it had not been aware that the Tribunal was not responsible for the preparation of oral history transcripts. The oral history transcripts should be completed by the time of the next CMC.

[5] The Parties stated that they could not complete an Agreed Statement of Facts, Common Book of Documents or Agreed Statement of Issues until the oral history transcripts and experts' reports had been reviewed. The Parties were urged to commence the process, subject to modification and completion when the transcripts and experts' reports have been reviewed.

[6] The next CMC will be held by teleconference on **March 10, 2017**, at 11:00 A.M., Eastern Time (Ottawa).

W.L.WHALEN

Honourable W.L. Whalen