

FILE NO.: SCT-7001-14
DATE: 20161115

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
TOBACCO PLAINS INDIAN BAND)	Rhaea Bailey and Mary Mollineaux, for the
)	Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Kelly Keenan and Michael Mladen, for the
Affairs and Northern Development)	Respondent
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: November 1, 2016

ENDORSEMENT

Honourable Barry MacDougall

A Case Management Conference (CMC) was held by teleconference on November 1, 2016, at 1:00 P.M., Eastern Time (Ottawa).

[1] On October 13, 2016, the Respondent served its responding appraisal expert report on the Claimant. The Claimant does not anticipate needing to serve a supplementary expert report on the Respondent at this time.

[2] The Parties report that the oral history evidence hearing can proceed in the week of December 5th to 9th, 2016, if expert testimony is not required.

[3] The Parties report that they require more time to explore the possibility of reaching an agreement on historical compensation or valuation of the Claim, and whether such agreement may eliminate the need for expert testimony. Should a hearing for expert testimony be required, the Parties shall canvass their respective experts' availability for an expert evidence hearing in January of 2017.

[4] The Parties shall file with the Tribunal a joint letter on or before **November 15, 2016**, setting out the proposed final adjusted schedule as initially set out in their letter to the Tribunal dated October 27, 2016. The Parties shall also include a potential Pre-Hearing Conference date in accordance with Rule 55 of the *Specific Claims Tribunal Rules of Practice and Procedure*.

[5] The Parties shall finalize and file with the Tribunal the Oral History Protocol on or before **November 15, 2016**.

[6] The Parties have exchanged a draft protocol for a site visit and will continue to finalize that document. The Parties report that the site visit will likely be scheduled for May of 2017 to correspond with the proposed oral argument dates, considering that winter month conditions are not ideal for a site visit.

[7] A further CMC is not required at this time.

BARRY MACDOUGALL

Honourable Barry MacDougall