

**FILE NO.:** SCT-7001-12  
**DATE:** 20140630

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

**BETWEEN:** )  
)  
TSLEIL-WAUTUTH NATION )  
) Stan Ashcroft, for the Claimant  
)  
Claimant )  
)  
**– and –** )  
)  
HER MAJESTY THE QUEEN IN RIGHT )  
OF CANADA )  
As represented by the Minister of Indian ) James Mackenzie and Deborah McIntosh,  
Affairs and Northern Development ) for the Respondent  
)  
Respondent )  
)  
)  
LEQ’A:MEL FIRST NATION )  
) Jennifer Griffith and Amy Jo Scherman, for  
Applicant ) the Applicant  
)  
)  
)  
) **HEARD:** June 27, 2014

**ENDORSEMENT**

**Honourable W.L. Whalen**

A Case Management Conference (CMC) was held by teleconference on June 27, 2014, at 1:00 P.M., Eastern Time (Ottawa).

[1] The Claimant consents to the Application for Intervenor status by the Leq'a:Mel First Nation but the Respondent does not. Accordingly, there will be a hearing of the Application by videoconference on September 24, 2014, at 2:00 P.M., Eastern Time (Ottawa). The Parties indicated that they will appear for the videoconference at the Respondent's office in Vancouver. The Respondent will serve and file its written responding submissions by August 15, 2014, with any reply by the Applicant to be served and filed by August 29, 2014.

[2] The Claimant reported that it had received an expert appraisal of the land in question and that it intends to rely on the amount developed in that report rather than the previously agreed Base Value. The Claimant produced a copy of the expert's report to the Respondent on June 26, 2014. The Respondent indicated that it must review the report and seek instructions, which may include retaining a responding expert's opinion. As a result of the Claimant's new appraisal report, the previous agreement on the Base Value of the land in question is no longer effective. The Respondent's intentions in dealing with the Claimant's new appraisal will be discussed at the next CMC.

[3] The Respondent has completed production of trust records available up to 2006 and Joan Holmes & Associates has reviewed those documents. The Respondent reported that it had discovered a further 4,500 pages of documents that it has recently completed reviewing, but there are questions of relevancy, privacy and privilege associated with many of these documents. The Claimant reported that it may also have documents generated after 2006 when it took over management of its lands and financial affairs. The Parties asked for time to discuss the manner in which further documents should be produced and to what extent. This issue will be revisited at the next CMC with a view to developing a timetable for production if necessary.

[4] Both Parties reported that they had retained experts to provide opinions on the compensation issue once all documents have been produced. They indicated that they had identified the proposed experts to each other and they undertook to provide their respective expert's curricula vitae to each other on a without prejudice basis.

[5] The next CMC will be held by videoconference on September 24, 2014 at 2:00 P.M., Eastern Time (Ottawa) immediately following the Application herein.

W.L. WHALEN

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Honourable W.L. Whalen