

FILE NO.: SCT-5004-11
DATE: 20150423

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
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KAHKEWISTAHAW FIRST NATION)
)
Claimant) Stephen M. Phillipow and Adam Touet, for
) the Claimant
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT)
OF CANADA)
As represented by the Minister of Indian)
Affairs and Northern Development) Lauri Miller and Donna Harris, for the
) Respondent
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Respondent)
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) **HEARD:** April 22, 2015

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on April 22, 2015, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Respondent reports that its document search has not been completed for reasons explained in its CMC Brief. The Claimant expresses concern that the search is taking so long, noting that previous completion times stated by the Respondent had not been met. The Tribunal accepts that the research is necessary and productive but directs that documents found to date be

produced to the Claimant on or before **May 8, 2015**. The Respondent shall obtain a realistic date for research completion and be prepared to discuss it at the next CMC.

[2] The Respondent has questions about the categorization of expenses stated in the Claimant's Holmes Report, including identifying and understanding which "allowable expenses" may be in issue as part of the Claim. The Claimant indicates that it had intended to summarize the situation completely once production of documents was complete. However, in the interest of expediting the process, the Claimant is directed to advise the Respondent on or before **May 8, 2015**, which "allowable expenses" are problematic and to explain why.

[3] The Claimant reports that it has obtained a new report which replaces the Seven Oaks Report. This new Report was provided to the Respondent on Monday April 20, 2015. The Respondent's counsel stated that they have not received the report. Once received, the Respondent will review the report and advise if it will provide a response at the next CMC.

[4] The next CMC will be held in person in Saskatoon on **June 3, 2015**, at 10:00 A.M.

W.L. WHALEN

Honourable W. L. Whalen