

FILE NO.: SCT-5004-11
DATE: 20170310

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
KAHKEWISTAHAW FIRST NATION)
) Stephen M. Pillipow and Adam Touet, for
) the Claimant
Claimant)
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT)
OF CANADA)
As represented by the Minister of Indian) Lauri Miller and Donna Harris, for the
Affairs and Northern Development) Respondent
)
)
Respondent)
)
)
)
) **HEARD:** March 6, 2017

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on March 6, 2017, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Parties reported that they are in an advanced state of preparation of an Agreed Statement of Facts and a Common Book of Documents, which are essentially complete subject to changes that may arise from expert reports and potential culling of some documents. The Parties continue to work cooperatively.

[2] The Respondent reported that it expects to deliver its expert's report to the Claimant by end of May 2017, provided the Respondent receives the report from the expert in mid-May. The Claimant will decide if it will need to reply after it receives the Respondent's expert report.

[3] The Respondent will require time to review lay witness' Sherry Daniels' anticipated evidence in view of its experts report before delivering Ms. Daniels' Will-Say Statement to the Claimant. The Respondent is directed to deliver its expert's report to the Claimant on or before **May 31, 2017** and Ms. Daniels' Will-Say Statement (if it intends to call Ms. Daniels to testify) on or before **June 23, 2017**.

[4] A hearing of expert witnesses and lay witness (if Ms. Daniels testifies) is tentatively scheduled to take place on October 30, 2017 to November 3, 2017, subject to confirmation by the Parties. The Parties shall also propose a schedule for filing the Agreed Statement of Facts, Agreed Statement of Issues and a Common Book of Documents in advance of the hearing. The Parties are to provide confirmation and the proposed filing schedule on or before **May 31, 2017**. This hearing will take place in Saskatoon, Saskatchewan at a location to be arranged by the Registry.

[5] The validity hearing (i.e. oral submissions) will commence at 10:00 A.M., local time, on May 1, 2018 and continue until May 4, 2018. The validity hearing will take place on the Kahkewistahaw Reserve at a location to be coordinated by the Registry with the Claimant's administrative representative. The Parties proposed schedule for the filing of Memoranda of Fact and Law (including a Response and a Reply) as set out in their CMC briefs as noted below are acceptable to the Tribunal:

February 15, 2018 – Deadline for Claimant's written submissions;

March 30, 2018 – Deadline for Respondent's written submissions; and,

April 15, 2018 – Deadline for Claimant's Reply.

[6] The Parties are to deliver a Joint Status Report to the Registry on or before **July 4, 2017** updating their progress in preparation for the validity hearing and requesting a CMC if thought necessary. A pre-hearing CMC will be scheduled closer to the validity hearing date.

W.L. WHALEN

Honourable W.L. Whalen