

**FILE NO.:** SCT-3002-16

**DATE:** 20170622

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
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OJIBWAYS OF ONIGAMING FIRST	)	
NATION (INDIAN BAND) AND BIG	)	Donald R. Colborne, for the Claimants
GRASSY (MISHKOSIIMIINIIZIIBING)	)	
FIRST NATION (INDIAN BAND)	)	
	)	
	)	
Claimants	)	
	)	
<b>- and -</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	Lisa Cholosky, for the Respondent
As represented by the Minister of Indian	)	
Affairs and Northern Development	)	
	)	
	)	
Respondent	)	
	)	
	)	
	)	<b>HEARD:</b> May 25, 2017

**ENDORSEMENT**

**Honourable Paul Mayer**

A Case Management Conference (CMC) was held by teleconference on May 25, 2017, at 4:30 P.M., Eastern Time (Ottawa).

[1] The Respondent has decided that it will not be amending its Response to the Declaration of Claim to admit validity or liability at this time.

[2] The Parties may be prepared to pursue Tribunal assisted mediation (“mediation”) for this Claim but the Parties require that a forestry expert report be completed first. At this point, the Claimant is aiming for delivery of a forestry expert report sometime in 2018.

[3] In the meantime, the Claimant continues to seek a response from the Respondent regarding the possibility of a joint forestry expert report funded by or partially funded by the Respondent. The Respondent is attempting to find a solution to the Claimant’s request and determine if funding a joint report or at least partially funding it is possible in this case, but requires more time. The Respondent shall provide a response to the Claimant regarding this request prior to the next CMC. Should the Claimant have any difficulties in this endeavour, it may write to the Tribunal for assistance.

[4] The Parties agreed that though any forestry expert report(s) will likely not be produced until sometime in 2018, the Parties will in the meantime seek to agree to a Mediation Agreement and get started on an Agreed Statement of Facts and an Agreed Statement of Issues.

[5] The issue of the Claimant’s oral history evidence hearing date and Will-Say Statements shall be revisited once the matter of a Mediation Agreement is settled and contents of the forestry expert report adequately known. The Claimant noted in its brief that oral history evidence may not be required for this Claim, depending on the contents of the Mediation Agreement and forestry expert report.

[6] The potential section 22 Notice to the Province of Ontario should be dealt with at the next CMC, as the potential for mediation for this Claim is not imminent as in the case of claim SCT-3001-16.

[7] The next CMC will be held together with claim SCT-3001-16 by teleconference on **July 6, 2017**, at 4:30 P.M., Eastern Time (Ottawa).

PAUL MAYER

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Honourable Paul Mayer