

FILE NO.: SCT-7001-15
DATE: 20181004

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
METLAKATLA INDIAN BAND)
) Brenda Gaertner and Krista Robertson, for
) the Claimant
Claimant)
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT)
OF CANADA)
As represented by the Minister of Indian) John Russell, for the Respondent
Affairs and Northern Development)
)
Respondent)
)
)
)
) **HEARD:** September 12, 2018

ENDORSEMENT

Honourable William Grist

A Case Management Conference (CMC) was held by teleconference on September 12, 2018, at 1:00P.M., Eastern Time (Ottawa).

[1] The Respondent made reference to paragraph 7 of its Response and reported that it may in future request that the Tribunal send a Notice pursuant to section 22 of the *Specific Claims Tribunal Act* to Lax Kw'alaams Indian Band. The matter will be discussed at the next CMC.

[2] The Parties agreed that no section 22 Notice is needed for the province of British Columbia.

[3] The Claimant will serve and file its expert report on or before **March 1, 2019**.

[4] The Respondent will serve and file its responding expert report on or before **June 28, 2019**.

[5] The Claimant will serve and file its reply report, if needed, on or before **August 2, 2019**.

[6] The Parties will exchange the table of contents for the Common Book of Documents prior to the next CMC, recognizing that some documents may be added later due to new documents being identified by the experts or due to issues flowing from the section 22 Notice mentioned in paragraph 1.

[7] The Parties agree that the Claim should be bifurcated. The Claimant agreed to the form of the Tribunal's draft bifurcation order. The Respondent requires further time to consider the draft bifurcation order. The Tribunal expects to order bifurcation as soon as the Parties agree to the form, and if they cannot agree, either Party may make an application for bifurcation.

[8] The Claimant does not intend to bring oral history evidence at this time.

[9] The combined expert evidence hearing and oral submissions hearing will require 3-4 days and will take place as soon as schedules allow after September 3, 2019, commencing on the second business day of the week. The Claimant will determine its preferred location for the combined hearing and will notify the Registry by letter. The Parties will notify the Registry of their proposed dates for the combined hearing by joint letter.

[10] The next CMC will take place no later than January 18, 2019, at a date and time to be proposed jointly by the Parties. If a Party would like a CMC before the agreed date, and after consultation the other Party does not consent to the new date, then the Party seeking the CMC

may request the new date by letter to the Registry. The opposing Party may file a responding letter with reasons for the objection.

WILLIAM GRIST

Honourable William Grist