

FILE NO.: SCT-1001-12
DATE: 20140502

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
MADAWASKA MALISEET FIRST)	
NATION)	Patricia Bernard, for the Claimant
)	
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	Patricia MacPhee, Reinhold Endres, and Jill
As represented by the Minister of Indian)	Chisholm for the Respondent
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	HEARD: May 1, 2014

ENDORSEMENT

Honourable W.L. Whalen

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

[1] The Claimant reported that Mr. Richard Hachette had retired. Accordingly, Mr. Richard Hachette is removed as a counsel of record for the Claimant. Ms. Jill Chisholm is added as a counsel of record for the Respondent.

[2] The Claimant reported that one of its experts had withdrawn from the case in early April, 2014. The Claimant has engaged another expert who was identified to the Respondent and who has indicated he will report by mid-August, 2014. Upon receipt of this report the Parties will coordinate an exchange of their respective expert reports.

[3] The Claimant has indicated that it wishes to amend its Declaration of Claim to plead and claim a breach of fiduciary duty by the Respondent. The Claimant will file an Application to Amend the Declaration of Claim by June 30, 2014, and the Respondent will file its Response by August 22, 2014. If the Application is opposed, a time for the hearing of the Application will be scheduled at the next CMC.

[4] It has not been possible to complete a Common Book of Documents or an Agreed Statement of Facts because of the unforeseen delay in completion of experts' reports. New timelines for the completion of a Common Book of Documents and an Agreed Statement of Facts will be determined at the next CMC.

[5] The next CMC will be held by teleconference on Tuesday, September 2, 2014, at 11:00 A.M., Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen