

**FILE NO.:** SCT-6004-12  
**DATE:** 20160114

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

|  |   |                                      |
|--|---|--------------------------------------|
| <b>BETWEEN:</b>                          | ) |                                      |
|  | ) |                                      |
| BLOOD BAND, ALSO KNOWN AS                | ) |                                      |
| KAINAIWA OR KAINAI FIRST                 | ) | Joanne F. Crook, for the Claimant    |
| NATION, THE BLOOD TRIBE OR THE           | ) |                                      |
| BLOOD INDIAN BAND                        | ) |                                      |
| As represented by the Chief and          | ) |                                      |
| Councillors of the Blood Band            | ) |                                      |
|  | ) |                                      |
|  | ) | Claimant                             |
|  | ) |                                      |
| <b>- and -</b>                           | ) |                                      |
|  | ) |                                      |
| HER MAJESTY THE QUEEN IN RIGHT           | ) | Lisa D. Cholosky, for the Respondent |
| OF CANADA                                | ) |                                      |
| As represented by the Minister of Indian | ) |                                      |
| Affairs and Northern Development         | ) |                                      |
|  | ) |                                      |
|  | ) |                                      |
|  | ) | Respondent                           |
|  | ) |                                      |
|  | ) |                                      |
|  | ) | <b>HEARD:</b> January 8, 2016        |

**ENDORSEMENT**

**Honourable W.L. Whalen**

A Case Management Conference (CMC) was held by teleconference on January 8, 2016, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Claimant indicated that it had requested production of documents referred to in the documents already produced by the Respondent. The Respondent has located a number of those

documents and has started research to locate the rest of the documents, if they exist. The Parties have exchanged transcriptions of illegible documents and are working co-operatively on searching for more legible versions of these documents and negotiating mutually acceptable transcriptions to the extent possible. Progress on document production and transcription will be reviewed at the next CMC.

[2] Claimant's counsel reported that she had drafted an Agreed Statement of Facts but that she was seeking the Respondent's agreement on the draft to the extent possible. Respondent's counsel was reluctant to agree to any of the draft facts until production of documents and experts' reports are complete. The Parties are encouraged to work co-operatively on the preparation of an Agreed Statement of Facts, including identifying uncontroverted matters. This question will be reviewed at the next CMC.

[3] The Parties reported that they had largely agreed to the issues in dispute in the Claim. The Respondent agreed to prepare and share with the Claimant a draft Agreed Statement of Issues by **February 5, 2016**.

[4] The Claimant reported that it had identified two possible experts and that it was in the process of retaining one or both. The Respondent indicated that it would likely retain a responding expert. The Claimant is directed to identify to the Respondent the experts it retains and to provide a general description of the area of research the expert was asked to pursue. Progress on the retainer of experts and preparation of expert reports will be considered at the next CMC.

[5] The next CMC will be held by teleconference on **June 10, 2016**, at 11:00 A.M., Eastern Time (Ottawa).

W.L. WHALEN

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Honourable W.L. Whalen