

FILE NO.: SCT-7002-15
DATE: 20190312

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
KITASOO XAI'XAIS NATION)	Amy Jo Scherman and Devrin Froese, for
)	the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Fred Wan, for the Respondent
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: March 5, 2019

ENDORSEMENT

Honourable William Grist

A Case Management Conference (CMC) was held by teleconference on March 5, 2019, at 2:00 P.M., Eastern Time (Ottawa).

[1] The Parties reported that they are close to agreement on a draft confidentiality order concerning the documents underlying the Claimant's expert report, which is currently with the Respondent. The Parties agreed to finalize the draft confidentiality order and file it with the

Tribunal on or before **April 15, 2019**, at the latest, or to request a CMC in the event that they cannot finalize the agreement by then.

[2] The Parties reported that they are also working on an Agreed Statement of Issues, and agreed that it would be finalized prior to the oral history evidence hearing.

[3] The oral history evidence hearing and site visit shall take place sometime in August 2019 or during the week starting October 14, 2019, in and around Klemtu, British Columbia. The Parties shall confer with each other and file with the Tribunal a joint letter on or before **April 15, 2019**, confirming their preferred dates. They shall endeavor to start the hearing on a Tuesday, to enable travel and set-up on the prior Monday.

[4] The Parties have agreed to work on a Common Book of Documents and an Agreed Statement of Facts before the oral history evidence hearing. If the Common Book of Documents and the Agreed Statement of Facts are not finalized before the oral history evidence hearing, a schedule for their finalization shall be established at a CMC to follow the oral history evidence hearing.

[5] The Respondent's expert report shall be finalized in early 2020. The Respondent shall advise the Tribunal of the precise date by which the expert report will be finalized by letter prior to April 15, 2019.

[6] The Claimant shall advise the Respondent and the Tribunal whether it will prepare a responding expert report within 30 days of receiving the Respondent's final expert report.

[7] The expert evidence hearing is expected to take place in the late winter or early spring of 2020 in Vancouver, British Columbia. The hearing on validity shall be scheduled to follow shortly after the expert evidence hearing and shall take place in Klemtu, British Columbia.

[8] A Pre-Hearing Conference will be held prior to the oral history evidence hearing. Once the Parties advise on the dates for the oral history evidence hearing, the Registry shall contact the

Parties to schedule the Pre-Hearing Conference.

WILLIAM GRIST

Honourable William Grist