

FILE NO.: SCT-7001-16
DATE: 20190411

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
TSESHAHT FIRST NATION)	
)	Nicole Iaci, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	James M. Mackenzie and Krysta Boyer, for
Affairs and Northern Development)	the Respondent
)	
)	
Respondent)	
)	
)	
)	
)	

ORDER

Honourable William Grist

WHEREAS the Parties have reached an agreement on the validity phase of this Claim and do not require a hearing;

AND WHEREAS the Parties have consented to an Order for the resolution of all issues of validity of the Claim as follows:

- a. The Respondent has admitted liability with respect to this Claim as follows: the Respondent breached a fiduciary obligation owed to the Claimant during the 1913 surrender and sale of Iwachis IR #3;
- b. The Parties agree that, by virtue of this admission, all issues of validity have been fully and finally resolved as between them; and,
- c. The Parties have indicated that they intend to negotiate a settlement on compensation for this Claim.

THE TRIBUNAL ORDERS, BY CONSENT, THAT:

[1] The Claim is found valid under paragraph 14(1)(c) of the *Specific Claims Tribunal Act* on the basis that:

The Respondent breached a fiduciary obligation owed to the Claimant during the 1913 surrender and sale of Iwachis IR #3.

[2] The resolution of issues of validity is made as if upon a full hearing of the Claim at the validity phase of the proceeding and a decision of the Tribunal on the merits;

[3] The Parties are granted leave, in their discretion, to amend the pleadings to reflect the foregoing terms of their agreement on validity; and,

[4] Compensation is to be assessed under paragraph 20(1)(c) of the *Specific Claims Tribunal Act*.

WILLIAM GRIST

Honourable William Grist