

FILE NO.: SCT-5004-13
DATE: 20190426

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
WOOD MOUNTAIN LAKOTA FIRST)	
NATION)	G. Rangi Jeerakathil and Joshua Morrison,
)	for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	Lauri M. Miller, for the Respondent
As represented by the Minister of Indian)	
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	HEARD: April 17, 2019

ENDORSEMENT AND ORDER

Honourable Harry Slade, Chairperson

FURTHER to a Case Management Conference (CMC) held by teleconference on April 17, 2019, at 3:30 P.M., Eastern Time (Ottawa):

[1] The Parties shall file a draft Consent Order on the validity of the Claim on or before **May 10, 2019**, per the Tribunal’s Direction issued on April 25, 2019. The draft Consent Order shall include the agreed basis for compensation under subsection 20(1) of the *Specific Claims*

Tribunal Act, and wording similar or identical to the language sent by the Tribunal on April 18, 2019 in its Direction, regarding the effect of the Consent Order on validity.

[2] The Parties shall consider signing a waiver of the “he/she who hears” rule in light of the retirement of the Honourable W. L. Whalen from the Tribunal. They shall consider doing so by April 26, 2019.

[3] The Parties reported that they have retained joint experts on the loss of use and current unimproved market value of the land at issue, that they have the second draft of the loss of use report and that the current unimproved market value report is anticipated soon. They have also jointly commissioned a gravel study, and the Claimant has commissioned a mineral study, both of which are anticipated this summer.

THE TRIBUNAL ORDERS THAT:

[4] The stay of proceedings is extended until September 3, 2019;

[5] A CMC shall be convened in-person in Saskatoon, Saskatchewan, on the morning of September 11, 2019. If the expert evidence hearing in file SCT-5002-11 (*Lac La Ronge Band and Montreal Lake Cree Nation v Her Majesty the Queen in Right of Canada*) is finished before September 10, 2019, the CMC may be held earlier; the Parties shall keep their schedules open on September 9 and 10, 2019; and,

[6] The Parties shall file a Joint Status Report in lieu of CMC Briefs before the next CMC, which shall be due September 4, 2019. The Joint Status Report shall include the following:

- (a) a status report on all expert reports;
- (b) a report on the progress of negotiations, in particular whether an agreement in principle has been reached and timelines for its approval, and if not, whether and when offers and counteroffers were made;
- (c) how far apart the Parties remain on the compensation amount;

- (d) the Parties' positions on whether to continue to negotiate or to seek Tribunal adjudication; and,
- (e) the Parties' positions on mediation.

HARRY SLADE

Honourable Harry Slade, Chairperson