

**FILE NO.:** SCT-5004-11  
**DATE:** 20170926

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
KAHKEWISTAHAW FIRST NATION	)	
	)	Stephen M. Pillipow, for the Claimant
	)	
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Indian	)	Lauri Miller and Donna Harris, for the
Affairs and Northern Development	)	Respondent
	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	<b>HEARD:</b> September 25, 2017

**ENDORSEMENT**

**Honourable W.L. Whalen**

A Case Management Conference (CMC) was held by teleconference on September 25, 2017, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Tribunal advised that new expert hearing dates would be required and that it was proposed that Justice P. Mayer assume judicial responsibility for the file into the future. The reasons for the new dates and judicial change were discussed. The Parties expressed disappointment with the need to change the hearing date and indicated that they were having difficulty finding new dates because of other commitments by the experts and their own commitments. The possibility of splitting the hearing into two separate times might be possible or necessary, especially as there was now concern that one week would not be sufficient to complete the hearing. The Parties also expressed concern about the judicial change and they were invited to express their written concern to the Chairperson if they felt strongly.

[2] The Parties reported that the Agreed Statement of Facts, Agreed Statement of Issues and Common Book of Documents were near finalization. It was anticipated that these would be filed on or before October 31, 2017, although that may now not be practical as a result of the change in expert witness hearing dates.

[3] The Parties reported that they had exchanged final expert accounting reports and that no more reports were anticipated. They had agreed to the order of the hearing of the experts, but that may change because of the change in hearing dates. The Parties were about to exchange statements in respect of the qualification of the experts.

[4] Justice Mayer will shortly issue a direction in respect of potential new expert hearing dates and information as to Justice Mayer's availability. The Registry is requested to coordinate a new hearing date or dates, and to schedule an appropriate date for the next CMC once those dates are settled. The purpose of the CMC would be to check that all aspects of the expert hearing is ready to proceed and to anticipate a CMC sometime after the expert hearings have been completed, with a view to establishing filing schedules for the validity hearing.

W.L. WHALEN

---

Honourable W.L. Whalen