

FILE NO.: SCT-7007-13
DATE: 20190301

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
7AQ'AM)	
)	Darwin Hanna and Kirk Gehl, for the
)	Claimant
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	James M. Mackenzie, Whitney Watson and
Affairs and Northern Development)	Richelle Rae, for the Respondent
)	
)	
Respondent)	
)	
)	
)	HEARD: February 26, 2019

ENDORSEMENT

Honourable Harry Slade, Chairperson

A Case Management Conference (CMC) was held by teleconference on February 26, 2019, at 1:30 P.M., Eastern Time (Ottawa).

[1] The Claimant expressed concerns regarding the Consent Order of January 18, 2019, as described in the Claimant's CMC Brief. The Claimant proposed that the Consent Order be revised to disclose more clearly the admitted grounds pursuant to subsection 14(1) of the *Specific*

Claims Tribunal Act (SCTA), the basis for compensation pursuant to section 20 of the *SCTA*, and what the Claimant has agreed to withdraw.

[2] The Respondent expressed satisfaction with the Consent Order and explained its position on the purpose of Consent Orders. The Respondent noted that it would need to seek instructions regarding the inclusion of particular bases for compensation in a revised Consent Order.

[3] The Respondent referred the Tribunal to the authority to revise the Consent Order by analogy to subsection 397(2) of the *Federal Courts Rules*. The Tribunal also takes note of subsection 30(2) of the *Federal Courts Rules*.

[4] The Parties expressed a willingness to work cooperatively on a draft revised Consent Order. The Parties will prepare a draft revised Consent Order and file it with the Tribunal on or before **March 18, 2019**.

[5] If the Parties are unable to agree on the draft revised Consent Order, then:

- a. each Party will file its preferred draft revised Consent Order, together with an explanation of the Party's position, on or before **March 18, 2019**; and,
- b. a CMC to address the draft revised Consent Order will be scheduled between March 19, 2019 and March 29, 2019.

[6] The date to file the joint or separate briefs described in paragraph 2 of the Endorsement and Order of January 17, 2019, is revised such that a progress report on the matters listed in paragraph 2 of that Endorsement and Order will be filed on or before **March 29, 2019**.

[7] If the joint or separate briefs to be filed on or before March 29, 2019, indicate that a stay of proceedings is appropriate, a CMC to address that issue may not be required. If required, the

next CMC will be held as soon as can be arranged after March 29, 2019, at which time the Parties may speak to their positions on whether a stay of proceedings would enhance the prospect for settlement of the Claim.

HARRY SLADE

Honourable Harry Slade, Chairperson