

FILE NO.: SCT-7001-13

DATE: 20180926

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
HALALT FIRST NATION)	
)	Matthew Boulton, Heather Mahony and
)	Dominique Nouvet, for the Claimant
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Jennifer Chow and Christa Hook, for the
Affairs and Northern Development)	Respondent
)	
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Respondent)	
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ORDER

Honourable Harry Slade, Chairperson

WHEREAS the Claimant filed a Declaration of Claim with the Tribunal on May 6, 2013 which was amended March 31, 2014, July 7, 2014, August 5, 2014 and December 15, 2014 alleging that the Respondent breached statutory and fiduciary duties and seeking compensation in relation to the taking of reserve land from Indian Reserve No. 2 in 1885 and 1912 for the construction of the Esquimalt and Nanaimo Railway and the Crofton Spur connecting line, and breach of fiduciary obligation in relation to the 1987 abandonment of the Crofton Spur (the Claim);

WHEREAS the Respondent admitted the validity of the Claim;

WHEREAS the Claimant and the Respondent agreed on an Agreed Statement of Facts filed on August 31, 2015;

WHEREAS the Claimant and the Respondent agreed on a Compensation Framework filed on December 15, 2015;

WHEREAS the Claimant and the Respondent have reached agreement on the amount of compensation for the Claim; and,

WHEREAS the Claimant and the Respondent agree that this Order is a compensation award of the Tribunal for the purposes of section 35 of the *Specific Claims Tribunal Act*, SC 2008, c 22;

THE TRIBUNAL ORDERS, BY CONSENT OF THE CLAIMANT AND THE RESPONDENT THAT:

[1] The Respondent shall pay compensation in the amount of \$1,575,801.00, inclusive of costs and disbursements, to the Claimant in full and final resolution of the Claim.

HARRY SLADE

Honourable Harry Slade, Chairperson