

FILE NO.: SCT-3002-11

DATE: 20131217

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
BIG GRASSY (MISHKOSSIMIINIIZIIBING))	
FIRST NATION (INDIAN BAND))	Donald R. Colborne, for the Claimant
)	
Claimant)	
)	
- and -)	
)	
)	
HER MAJESTY THE QUEEN IN RIGHT OF)	
CANADA)	Jeff Echols, for the Respondent
As represented by the Minister of Indian Affairs)	
and Northern Development)	
)	
Respondent)	
)	
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)	
)	HEARD: December 9, 2013
)	

ENDORSEMENT

Honourable W.L. Whalen

[1] A Case Management Conference (CMC) was held in Regina, Saskatchewan, via teleconference, on December 9, 2013, at 12 P.M., Central Time (Regina).

[2] Counsel confirmed that production of documents is complete as earlier directed. The Claimant has engaged an Expert to review those documents. The Expert's review is on-going but expected to be complete by the end of January 2014.

[3] Counsel reported that they are co-operating in the production of a Common Book of Documents and an Agreed Statement of Facts. However, these documents cannot be completed until the Claimant's Expert reports on the documents produced. Assuming the Claimant's Expert completes the review by the end of January 2014, Counsel anticipate the completion of the Common Book of Documents and Agreed Statement of Facts could be achieved by the end of February 2014. This will be reviewed at the next CMC.

[4] Counsel were unaware of any settlement privilege issues at this time, but will review the question for discussion at the next CMC.

[5] Counsel shall be prepared to discuss the issues listed on page three (3) of the Claimant's CMC Brief filed December 3, 2013, and more particularly:

1. where damage/compensation is claimed that was not particularized in the original specific claim, whether it is properly before the Tribunal, and,
2. for those matters in which the Crown has not admitted liability, whether the Crown is liable, and,
3. whether Ontario is partially liable for any part of the claim, and
4. what is the quantum of damages/compensation.

[6] Counsel shall be prepared to discuss their intentions to present expert evidence and the sequence of such evidence at the next CMC.

[7] The Claimant intends to call oral history evidence. The development of this evidence will be discussed at the next CMC. Counsel indicated that they would co-operate in proposing a protocol, which will also be discussed at the next CMC.

[8] The Province of Ontario was served notice of the Claim but has not responded or communicated with any of the Parties or their counsel. It is therefore assumed that it is not interested in these proceedings.

[9] The next CMC shall be held in March or April 2014, at a date and time to be coordinated by the Registry.

W.L. WHALEN

Honourable W.L. Whalen
Specific Claims Tribunal of Canada