

**FILE NO.:** SCT-5001-11  
**DATE:** 20131024

**SPECIFIC CLAIMS TRIBUNAL**  
**TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

**BETWEEN:** )  
)  
BEARDY’S AND OKEMASIS BAND )  
#96 AND #97 ) Steve Carey and Ashley Kart (student-at-  
) law), for the Claimant  
Claimant )  
)  
**– and –** )  
)  
HER MAJESTY THE QUEEN IN RIGHT )  
OF CANADA ) Lauri Miller and David Smith, for the  
) Respondent  
As represented by the Minister of Indian )  
Affairs and Northern Development )  
)  
Respondent )  
)  
**– and –** )  
)  
PREMIÈRE NATION DES )  
ATIKAMEKW D’OPITCIWAN ) Paul Dionne, for the Intervenor  
)  
)  
Intervenor )  
)  
**– and –** )  
)  
JAMES SMITH CREE NATION ON )  
BEHALF OF THE CHAKASTAYPASIN ) Steve Carey and Ashley Kart (student-at-  
) BAND OF THE CREE NATION, ET AL ) law) for the Intervenor  
)  
)  
Intervenor )  
)  
) **HEARD:** October 22, 2013

## **ENDORSEMENT**

### **Honourable Harry Slade**

A Case Management Conference (CMC) was held by teleconference on October 22, 2013, at 1:00 P.M., Eastern Time (Ottawa).

[1] The proposal made by the Intervenor, the Première Nation des Atikamekw d'Opitciwan, is in order and the Intervenor can proceed on the basis proposed.

[2] The Crown's application challenging the admissibility of the Metcs Report is dismissed. I find that the Metcs Report may be of assistance to the Tribunal in its task of determining the nature of annuity payments. Mr. Metcs meets the qualification requirements as an expert on this issue.

[3] The Claimant will advise the Respondent further on the parts of the Metcs Report it relies on to establish the collective nature of the Treaty annuity provisions.

[4] The Crown may file a report in response to the parts of the Metcs Report that pertain to the nature of the annuity provisions.

[5] If a hearing on compensation becomes necessary, the Respondent may respond further to parts of the Metcs Report that address compensation.

HARRY SLADE

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Honourable Harry Slade  
Specific Claims Tribunal Canada