

FILE NO.: SCT-5004-11
DATE: 20140528

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
KAHKEWISTAHAW FIRST NATION)	
)	Stephen Pillipow and Adam Touet, for the
)	Claimant
Claimant)	
)	
– and –)	
)	
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)	
)	
)	
)	
)	HEARD: May 27, 2014

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on May 27, 2014, at 11:00 A.M. Eastern Time (Ottawa).

[1] The Respondent is seeking particulars for expenses that the Claimant alleges were improperly paid. The Claimant takes the position that particulars were sufficiently disclosed in spreadsheets prepared and delivered to the Respondent. The Claimant has proposed a

categorization of expenses. The Respondent requires time to be instructed on whether to bring an Application for particulars.

[2] The Claimant reported that it expects to receive a further expert report by the end of June 2014 that it will produce for the Respondent. This report may assist the Respondent with its concerns about particulars. The Parties are encouraged to work together cooperatively to clarify the expenses in dispute and the reasons why those expenses are alleged to be improper.

[3] The Respondent takes issue with the Claimant's proposal to file and rely on a report prepared by Patricia Zacharias of Seven Oaks Consulting Inc. in February 2001. The Respondent takes the position that the report is irrelevant and indicated it would seek instructions on bringing an Application to determine the question.

[4] The Parties have worked together to complete an Agreed Statement of Facts and a Common Book of Documents. However, the dispute about particulars has limited progress on these documents.

[5] The question of bifurcation of the claim into validity and compensation phases will be determined at the next CMC.

[6] The next CMC will be held by teleconference on Monday, August 18, 2014, at 11:00 A.M. Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen