

SPECIFIC CLAIMS TRIBUNAL

BETWEEN:

DOIG RIVER FIRST NATION

SPECIFIC CLAIMS TRIBUNAL	
F I L E D	TRIBUNAL DES REVENDEICATIONS PARTICULIÈRES
April 24, 2013	
Guillaume Phaneuf	
Ottawa, ON	53

Claimant

AND:

BLUEBERRY RIVER FIRST NATIONS

Claimant

v.

HER MAJESTY THE QUEEN IN THE RIGHT OF CANADA

As represented by the Minister of Aboriginal Affairs and Northern Development Canada

Respondent

**Notice of Application pursuant to Section 17(c) of the
*Specific Claims Tribunal Act***

TO: **DOIG RIVER FIRST NATION**
 As represented by Allisun Rana and Julie Tannahill of Rana Law,
 Barristers & Solicitors
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AND TO: **BLUEBERRY RIVER FIRST NATIONS**
 As represented by James Tate and Ava Murphy of Ratcliff & Company
 LLP, 500 – 221 West Esplanade, North Vancouver, BC V7M 3J3
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TAKE NOTICE THAT the Respondent, Her Majesty the Queen in the Right of Canada, hereby applies to the Specific Claims Tribunal ("Tribunal") for the Order set out below.

THE APPLICATION IS FOR:

1. An Order pursuant to section 17(c) of the *Specific Claims Tribunal Act* striking out the Declarations of Claim of the claimants, Doig River First Nation and Blueberry River First Nations.
2. Such further and other relief as the Tribunal may deem to be just.

THE GROUNDS FOR THE APPLICATION ARE:

1. The claimants are estopped by the doctrine of *res judicata* from advancing the claims set out in their Declarations of Claim.
2. The claimants are barred from asserting the claims set out in the claimants' Declarations of Claim by the terms a Release and Indemnity dated February 26, 1998.
3. The claimants have not consented to the Order sought.

THIS APPLICATION WILL BE SUPPORTED BY THE FOLLOWING MATERIAL:

1. The pleadings and proceedings had and taken herein.
2. The respondent's Memorandum of Law and Argument.
3. Such further and other material as counsel may advise and the Tribunal permit.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Dated: April 24, 2013



Signature of
 Respondent Lawyer for
Respondent

William F. Pentney
Deputy Attorney General of Canada
Per: Brett Marleau, Counsel
Department of Justice
British Columbia Regional Office

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