

SPECIFIC CLAIMS TRIBUNAL

BETWEEN:

BEARDY’S & OKEMASIS BAND #96 AND #97

F I L E D	SPECIFIC CLAIMS TRIBUNAL TRIBUNAL DES REVENDEICATIONS PARTICULIERES	D E P O S E
	June 7, 2012	
	Guillaume Phaneuf	
	Ottawa, ON	37

Claimant
(Respondent)

v.

HER MAJESTY THE QUEEN IN THE RIGHT OF CANADA
As represented by the Minister of Aboriginal Affairs and Northern Development Canada

Respondent
(Applicant)

and

PREMIÈRE NATION DES ATIKAMEKW D’OPITCIWAN

Intervenor
(Respondent)

**Application for Leave and
Application for Adjournment
Pursuant to Rule 11 of the
*Specific Claims Tribunal Rules***

TO BEARDY’S & OKEMASIS BAND
As represented by Ron S. Maurice, of
Maurice Law Barristers and Solicitors
800, 550-11TH Avenue S.W.
Calgary, Alberta T2R 1M7
Fax: (403) 266-2701
Email: rmaurice@mauricelaw.com
File: 106.02

AND: PREMIÈRE NATION DES ATIKAMEKW D’OPITCIWAN
As represented by Francis Walsh
Dionne Schulze s.e.n.c.
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Montréal (Québec) H2Y 2W8
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TAKE NOTICE that pursuant to Rules 11, 29, 30 and 34 of the *Specific Claims Tribunal Rules of Practice and Procedure* (“Rules”), an application for leave and an application for adjournment, will be made by the Respondent, the Queen in the Right of Canada, before the Specific Claims Tribunal (“Tribunal”) at a time and place to be determined by the Tribunal.

I. Relief sought

- 1) Adjournment of the Crown’s Application to Strike set for June 12, 2012.

II. Grounds

- 1) The Procedural fairness requires that the Crown be given adequate time to review and respond to the materials of Beardy's & Okemasis Band #96 and #97 (“BOFN”) and the Première Nation des Atikamekw d’Opitciwan (“PNAO”).
- 2) BOFN and PNAO, however, have been granted leave to file their materials in the Crown’s Application to Strike on June 11, 2012, one day before the hearing.
- 3) The Crown will suffer significant prejudice if it is required to proceed with its Application to Strike on June 12, 2012.
- 4) The interests of neither BOFN nor PNAO will suffer any prejudice as a result of a reasonable adjournment.

III. Consent

- 1) BOFN and PNAO have not consented to this application.

IV. Communication

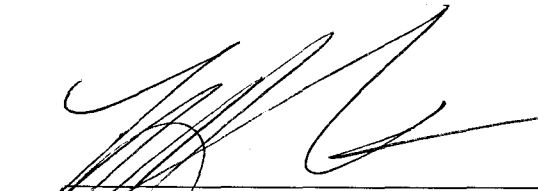
Applicant's address for service: Department of Justice (Canada)
Prairies Regional Office (Saskatoon)
10th Floor, 123 – 2nd Avenue South
Saskatoon, SK S7K 7E6
Attention: Daniel J. Kuhlen

Facsimile number address for service: (306) 975-6780.

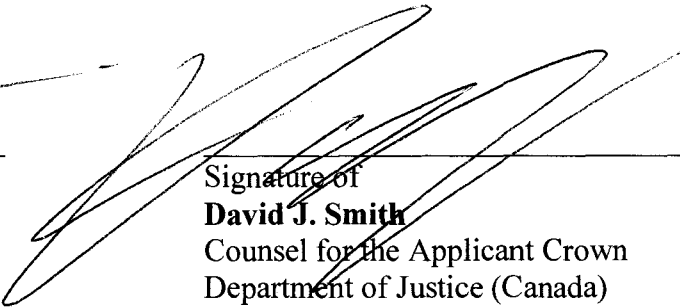
E-mail address for service: sasspeclaimtribbo@justice.gc.ca
Attention: David J. Smith

All of which is respectfully submitted.

Dated at the City of Saskatoon, in the Province of Saskatchewan, Canada, this 7th day of June, 2012.



Signature of
Daniel J. Kuhlen
Counsel for the Applicant Crown
Department of Justice (Canada)
Prairies Regional Office (Saskatoon)



Signature of
David J. Smith
Counsel for the Applicant Crown
Department of Justice (Canada)
Prairies Regional Office (Saskatoon)