

**CITATION: MAKWA SAHGAIEHCAN FIRST NATION v.
HER MAJESTY THE QUEEN IN THE RIGHT OF
CANADA**
COURT FILE NO: SCT-5003-11
DATE: 5/2/2012

SPECIFIC CLAIMS TRIBUNAL – CANADA

RE: Makwa Sahgaiehcan First Nation
HEARD: 5/1/2012
BEFORE: Justice Harry Slade
COUNSEL: David Knoll, for the Claimant
Lauri Miller, for the Respondent

ENDORSEMENT

[1] A Case Management Conference was held in Ottawa by telephone conference on Tuesday May 1st, 2012. Counsel agreed to the proposed procedural discussions and timeline for this proceeding.

[2] The following items are approved by the Tribunal:

- The June 15 filing date for the Crown application to strike is postponed indefinitely.
- Counsel will discuss reaching agreement on the procedural means by which the several surrender-townsite expansion claims may be proceeded with as distinct claims, heard consecutively by the same tribunal member. This will include:
 - a) provision for the identification of evidence adduced at the hearing of any claim that may be relevant to any other claim, and thus forming part of the record in any such claim;

b) Crown agreement to procedural plan to be without prejudice to ability to bring on application to strike 1939 surrender-townsite expansion claim on basis of the SCT Act, s.43.

- The Claimant may elect to re-file 1939 surrender-townsite expansion claim with the Minister on basis that is without prejudice to position that the claim was, for the purposes of eligibility for filing with the tribunal, filed in conformity with the provisions of the SCT Act.
- The Crown will make best efforts to canvass expedient treatment of refiled 1939 surrender claim or, in the alternative, Minister's agreement to have the claim go to the Tribunal.
- Above to be further discussed at CMC to be scheduled in Saskatoon on June 14 or 15, 2012.

HARRY SLADE

Harry Slade, Chairperson
Specific Claims Tribunal

DATE: 5/2/2012