

**CITATION: KITSELAS FIRST NATION  
v. HER MAJESTY THE QUEEN IN THE RIGHT  
OF CANADA**  
**COURT FILE NO:** SCT-7003-11  
**DATE:** 6/29/2012

**SPECIFIC CLAIMS TRIBUNAL – CANADA**

**RE:** Kitselas First Nation  
**HEARD:** 6/18/2012  
**BEFORE:** Justice Harry Slade  
**COUNSEL:** Stan H. Ashcroft, for the Claimant  
Rosemarie Schipizky and Chris Elsner, for the Respondent

**ENDORSEMENT**

Further to the Case Management Conference held June 18, 2012 the following endorsements are made and approved by the Tribunal:

- [1] By agreement of the parties, there will be a hearing to determine whether a breach of a Crown legal obligation has been established, and if such is the case, a hearing on compensation will be conducted.
- [2] The parties will settle the Common Book of Documents on or before July 3, 2012.
- [3] The Claimant will provide a response to the Crown's proposed Statement of Facts on or before July 3, 2012.

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- [4] If the parties are unable to agree on a Statement of Facts by August 9, 2012, they will advise the Tribunal by email to the Registry.
- [5] The Claimant does not object to the filing by the Crown of an expert report.
- [6] A hearing will be scheduled to commence November 20, 2012, for 4 days. The hearing will take place in the community of the Claimant Gitau.
- [7] The Claimant will advise the Crown on or before September 7, 2012 of their intentions with respect to the introduction of oral history evidence.
- [8] If it is intended that oral history be introduced in evidence, the parties will discuss how best to proceed with notice of the content of the proposed oral history evidence, and the means by which cross examination may be conducted.
- [9] A CMC will be set down for September 13, 2012, to discuss:
- (a) if necessary, the process for introduction of oral history evidence;
  - (b) filing dates for Common Book of Documents and agreed Statement of Facts;
  - (c) filing dates for Claimant's Memorandum of Fact and Law, Crown response, Claimant's reply.
- [10] The parties will provide Case Management Conference briefs, or a joint CMC brief, to the Registry by email not later than September 12, 2012.

HARRY SLADE

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Harry Slade  
Chairperson, Specific Claims Tribunal

**DATE:** 6/29/2012