

**FILE NO.:** SCT-7004-11  
**DATE:** 20190418

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

|  |   |   |
|--|---|---|
| <b>BETWEEN:</b>                          | ) |   |
|  | ) |   |
| WILLIAMS LAKE INDIAN BAND                | ) | Brenda Gaertner and Elisa Penn, for the |
|  | ) | Claimant                                |
|  | ) |   |
| Claimant                                 | ) |   |
|  | ) |   |
| <b>– and –</b>                           | ) |   |
|  | ) |   |
| HER MAJESTY THE QUEEN IN RIGHT           | ) | Shelan Miller, Michael Mladen and Amy   |
| OF CANADA                                | ) | Zhao, for the Respondent                |
| As represented by the Minister of Indian | ) |   |
| Affairs and Northern Development         | ) |   |
|  | ) |   |
|  | ) |   |
| Respondent                               | ) |   |
|  | ) |   |
|  | ) |   |
|  | ) | <b>HEARD:</b> April 15, 2019            |

**ENDORSEMENT**

**Honourable Harry Slade, Chairperson**

A Case Management Conference (CMC) was held by teleconference on April 15, 2019, at 1:00 P.M., Eastern Time (Ottawa).

[1] The Parties confirmed that the Claimant’s expert appraisal report, currently being prepared by Rod Cook, and the Respondent’s expert appraisal report, currently being prepared by Reid Umlah, are both expected to be received in June 2019. The Parties also confirmed that the deadline of on or before September 6, 2019, remains appropriate for responding reports. The

Parties anticipate holding a meeting of both experts and Counsel to explore the potential to simplify any responding reports.

[2] The Parties reported that they had discussed the “adjacent areas of indeterminate acreage”. Their exchanges were positive and the Claimant is now considering the Respondent’s response to a position the Claimant had provided.

[3] The Claimant is considering evidentiary requirements relating to other losses compensable pursuant to the *Specific Claims Tribunal Act*. Further expertise and/or lay witnesses may be required. The Claimant will convey its intentions in this regard to the Respondent on or before **July 15, 2019**. The Respondent noted that if lay witnesses testify, the Respondent will request Will-Says and the Oral History Protocol from the validity phase could be employed or amended.

[4] The Claimant noted that new documents will need to be exchanged prior to the oral submissions hearing on compensation. The Claimant proposed and the Respondent agreed to the following schedule for the exchange of documents and written submissions:

- a. The Parties will exchange documents in chief on or before **November 15, 2019**;
- b. The Parties will exchange documents in response on or before **December 13, 2019**;
- c. The Claimant will serve and file its written submissions in chief on or before **January 30, 2020**;
- d. The Respondent will serve and file its written submissions in response on or before **February 28, 2020**; and,
- e. The Claimant will serve and file its written submissions in reply on or before **March 20, 2020**.

[5] The oral submissions hearing on compensation will be held April 6 to 17, 2020, at a location to be determined.

[6] The Parties will file a joint report prior to the next CMC, including the status of progress toward a negotiated resolution and the Claimant's intentions regarding lay witnesses for the expert evidence hearing commencing September 23, 2019.

[7] The next CMC will be held by teleconference on **July 31, 2019**, at 1:00 P.M., Eastern Time (Ottawa).

HARRY SLADE

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Honourable Harry Slade, Chairperson