

**FILE NO.:** SCT-7006-11  
**DATE:** 20170712

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

|  |   |   |
|--|---|---|
| <b>BETWEEN:</b>                          | ) |   |
|  | ) |   |
| HUU-AY-AHT FIRST NATIONS                 | ) |   |
|  | ) | Kate M. Blomfield and Emma K. Hume, for         |
|  | ) | the Claimant                                    |
| Claimant                                 | ) |   |
|  | ) |   |
| <b>– and –</b>                           | ) |   |
|  | ) |   |
| HER MAJESTY THE QUEEN IN RIGHT           | ) |   |
| OF CANADA                                | ) |   |
| As represented by the Minister of Indian | ) | Anusha Aruliah, James M. Mackenzie,             |
| Affairs and Northern Development         | ) | Gloria Chao and Erin Tully, for the             |
|  | ) | Respondent                                      |
| Respondent                               | ) |   |
|  | ) |   |
|  | ) |   |
|  | ) | <b>HEARD:</b> February 8-12, 2016 and April 19- |
|  | ) | 21, 2016  |

**ORDER**

**Honourable W.L. Whalen**

**WHEREAS** the Tribunal released Reasons for Decision for Stage One of this proceeding on July 15, 2014, and found that the Respondent had breached fiduciary duties owed to the Claimant;

**WHEREAS** the Tribunal issued an order on February 11, 2016 addressing the compensation owed to the Claimant by the Respondent for the reduced value of the Numukamis Indian Reserve No. 1 as at February 11, 2016; and,

**WHEREAS** the Tribunal released Reasons for Decision for Stage Two of this proceeding on December 12, 2016 (the “Decision Date”) concerning the remaining compensation owed to the Claimant by the Respondent for the Respondent’s breaches of fiduciary duty;

**THE TRIBUNAL ORDERS THAT:**

[1] The Respondent shall pay to the Claimant compensation in the sum of \$13,884,000.00;

[2] The Respondent shall also pay to the Claimant interest from December 31, 2014 to the Decision Date at a rate of 0.55% compounded annually in the sum of \$149,294.88, for a total sum of \$14,033,294.88;

[3] The Respondent shall also pay to the Claimant interest owed according to subsection 36(2) of the *Specific Claims Tribunal Act*, SC 2008, c 22 on \$14,033,294.88, to and including July 19, 2017, in the amount of \$252,599.31;

[4] The total amount payable by the Respondent to the Claimant as of July 19, 2017 is \$14,285,894.19;

[5] Payment of \$14,285,894.19 shall be made by cheque to Huu-ay-aht First Nations in one installment on or around July 19, 2017; and,

[6] Either Party may request a Case Management Conference to address matters relating to costs.

W.L. WHALEN

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Honourable W.L. Whalen