

**FILE NO.:** SCT-7007-11  
**DATE:** 20181212

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

**BETWEEN:** )  
)  
DOIG RIVER FIRST NATION )  
) Allisun Rana and Patricia MacIver, for the  
) Claimant )  
Claimant )  
)  
- and - )  
)  
)  
BLUEBERRY RIVER FIRST NATIONS )  
) James Tate and Peter Millerd, for the  
) Claimant )  
Claimant )  
)  
- and - )  
)  
)  
HER MAJESTY THE QUEEN IN RIGHT )  
OF CANADA )  
As represented by the Minister of Indian )  
Affairs and Northern Development )  
)  
)  
Respondent )  
)  
) **HEARD:** December 3, 2018

**ENDORSEMENT**

**Honourable W.L. Whalen**

A Case Management Conference (CMC) was held by teleconference on December 3, 2018, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Claimants indicated that they were claiming their costs for Stage 1 of the Compensation hearing but that they would deal with all costs questions after all stages had been adjudicated.

[2] The Parties proposed a hearing schedule, with small differences between them that resulted in final oral submissions occurring two months later in the Respondent's version. The Respondent's proposal is accepted as appended to this Endorsement. The Respondent explained that the additional time in its proposal was because of the time necessary to obtain approvals within its bureaucratic process to retain experts. That process is underway but may not be complete until early 2019. The Tribunal observed that completing the suggested evidentiary hearing within the schedule or at least during the summer of 2019 is most important for purposes of being able to schedule firm dates for oral submissions.

[3] The Parties were reminded that Tribunal assisted mediation was available if that would help achieve resolution (pursuant to the Tribunal's Practice Directions # 14 and # 15).

[4] The Registry was directed to request that this matter be assigned to another Member in view of Justice Whalen's pending retirement on April 1, 2019. The Registry was also directed to schedule the next CMC before the newly assigned Member late in January or early February 2019 (before February 15, 2019) to review progress.

W. L. WHALEN

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Honourable W.L. Whalen

## APPENDIX

In anticipation of the Case Management (CMC) to be held on December 3, 2018 by teleconference before the Honourable Justice Whalen, the Respondent, Her Majesty the Queen in right of Canada (Canada) respectfully submits the following:

### Costs of Stage 1 of the Compensation Phase

Canada agrees with the Claimants' proposal that the issue of costs be deferred until after all phases of the claim have been adjudicated upon.

### Proposed Hearing Schedule

Following the Decision in Stage 1 of the Compensation Phase, Canada proposes the following hearing schedule for Stage 2 of the Compensation Phase of the Claim. Stage 2 will address the quantum of equitable compensation owing to the Claimants based on the Tribunal's findings in Stage 1 of the Compensation Phase:

<b>DATE:</b>	<b>STEP:</b>
February 15, 2019	Parties produce any additional relevant documents
February 28, 2019	Claimants file any expert reports (to be served 120 days before hearing)
March 29, 2019	Parties give notice of any lay witness evidence and identify tentative hearing dates if lay witness evidence to be tendered (written notice to be given 90 days before the hearing)
March 29, 2019	Respondent advises if cross-examination will be required on Claimants' expert reports
March 29, 2019	Parties file any affidavit evidence
May 31, 2019	Respondent files any expert reports in response (to be served 60 days before hearing)
June 14, 2019	Parties file any reply affidavit evidence
June 14, 2019	Claimants advise if cross-examination will be required on Respondent's expert reports
June 28, 2019	Claimants file any expert reports in reply (to be served 30 days before hearing)
July 12, 2019	Parties prepare and file an agreed statement of facts
July 12, 2019	Parties prepare and file a common book of documents
September 2019	Evidentiary hearing (if required)
October 25, 2019	Claimants file written submissions
November 22, 2019	Respondent files written submissions
December 6, 2019	Claimants file written submissions in reply
Last Friday before hearing	Parties file authorities
January 2020	Oral submissions hearing