

FILE NO.: SCT-1001-12

DATE: 20150915

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
MADAWASKA MALISEET FIRST)	
NATION)	Patricia Bernard and Paul Williams, for the
)	Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	Reinhold M. Endres, Q.C. and Patricia
As represented by the Minister of Indian)	MacPhee, for the Respondent
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	HEARD: September 9, 2015

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on September 9, 2015, at 9:00 A.M., Eastern Time (Ottawa).

[1] The Respondent reported that its expert's supplementary report was produced to the Claimant on August 31, 2015.

[2] The Claimant reported that the Parties' counsel and experts had conferred by teleconference on September 2, 2015, to alert the Respondent to and to discuss the recent evolution of the Claimant's theories and interpretation of the historical documents. As a result, the Claimant has directed its expert to prepare a supplementary report, which will be produced to the Respondent on or before **October 30, 2015**. The Respondent indicated that it might instruct its expert to prepare a responding further supplementary report which would be produced to the Claimant on or before **December 31, 2015**.

[3] The Respondent reported that as a result of its expert's supplementary report a number of additional relevant documents had been discovered. The Respondent will not be able to receive these documents from its expert until September 30, 2015. It shall produce these additional documents to the Claimant on or before **October 16, 2015**.

[4] The Parties reported that the development of a Common Book of Documents was in an advanced state, but could not be completed until the Respondent's further documents had been produced and reviewed. Progress will be reviewed at the next CMC.

[5] The Parties reported that some work has been done on the preparation of an Agreed Statement of Facts, but that it was preliminary and might require reworking as a result of the supplemental expert reports. To help expedite the preparation of an Agreed Statement of Facts, the Claimant will provide the Respondent with a draft from its perspective on or before **December 31, 2015**. Completion of an Agreed Statement of Facts will be considered at the next CMC.

[6] Details of a hearing date will be considered at the next CMC.

[4] The next CMC will be held by teleconference on **January 8, 2016**, at 9:00 A.M., Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen