

FILE NO.: SCT-4001-12 and SCT-4001-13

DATE: 20150204

SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES

BETWEEN:

WAYWAYSEECAPPO FIRST NATION

Claimant

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)
) Earl C. Stevenson and Norman Boudreau,
) for the Claimant

– and –

HER MAJESTY THE QUEEN IN RIGHT
OF CANADA

As represented by the Minister of Indian
Affairs and Northern Development

Respondent

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)
) Jeff Echols, for the Respondent

AND BETWEEN:

GAMBLERS FIRST NATION

Claimant

)
)
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)
) Stephen Pillipow, for the Claimant

– and –

HER MAJESTY THE QUEEN IN RIGHT
OF CANADA

As represented by the Minister of Indian
Affairs and Northern Development

Respondent

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) Jeff Echols, for the Respondent

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) **HEARD:** January 30, 2015

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on January 30, 2015, at 2:00 P.M., Eastern Time (Ottawa).

[1] The Respondent reported that it objected to the admissibility of two reports: (a) the Report of Joan Holmes and Associates proposed by the Claimant Gamblers First Nation, and: (b) the Lockhart Report proposed by the Claimant Waywayseecappo First Nation. The Respondent objects to the admission of these reports into evidence on grounds of necessity and relevance. The Respondent may also object to the expertise of the authors of the reports. An application will be necessary and will proceed on the following timetable: the Respondent will file an Application for Leave and a Notice of Application on or before **February 27, 2015**; the Claimants will file their respective Responses to the Application on or before **March 9, 2015**; the Respondent will file its written Submissions with supporting authorities on or before **March 20, 2015**; the Claimants will file their Responding Submissions with supporting authorities on or before **April 10, 2015** and; the Respondent will file its Reply (if any) on or before **April 22, 2015**. The cases referred to in the Parties' respective Books of Authorities should be reproduced in full.

[2] A Common Book of Documents and Agreed Statement of Facts cannot be compiled until the pending Application has been resolved. The Parties have considered these documents, which should be relatively easy to complete once the Application has been decided.

[3] The Parties acknowledged that the proposed oral history witnesses had been identified and Will-Say Statements served. The Claimant Gamblers First Nation proposes to present four oral history witnesses and the Claimant Waywayseecappo First Nation proposes five. The Claimants reported that a translator would not be required. The Claimants agreed to work out an order of witnesses, which will be provided at the next CMC.

[4] The Application will be heard on **April 27, 2015** commencing at 10:00 A.M. and the oral history testimony will be received on **April 27, 28, 29 and 30, 2015** all of which will take place at the Russell Inn in Russell, Manitoba. The Parties should be prepared to commence presentation of their oral history witnesses' at 2:00 P.M. on **April 27, 2015**.

[5] The next CMC will be held by teleconference on **April 20, 2015** at 1:00 P.M., Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen