

**FILE NO.:** SCT-4002-12  
**DATE:** 20150129

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

**BETWEEN:** )  
)  
BROKENHEAD OJIBWAY FIRST )  
NATION ) Sheryl A. Manychief, for the Claimant  
)  
)  
Claimant )  
)  
- and - )  
)  
HER MAJESTY THE QUEEN IN RIGHT )  
OF CANADA ) Kristine Whittaker, for the Respondent  
As represented by the Minister of Indian )  
Affairs and Northern Development )  
)  
)  
Respondent )  
)  
)  
) **HEARD:** January 27, 2015

**ENDORSEMENT**

**Honourable W.L. Whalen**

A Case Management Conference (CMC) was held by teleconference on January 27, 2015, at 11:00 A.M. Eastern Time (Ottawa).

[1] The Respondent reported that its document research continues, focusing upon researching and producing: (a) all Department of Indian Affairs documents dated between 1947 and 1955 and pertaining to the policies of the Department respecting the terms of Leases and Rights of Way; and, (b) Easements and any other Right of Way agreements entered into by Canada over

rural lands on Treaty No. 1 and Treaty No. 2 territories during the years 1942 to 1945. The Respondent's archivist has confirmed that the research will be done by January 31, 2015. At that point, the Respondent will review and list the documents with a view to producing them to the Claimant on or by **April 30, 2015**. The Claimant indicated that its document production will depend on what documents are produced by the Respondent. The Claimant will check the Respondent's documents against its own and produce any relevant documents not disclosed by the Respondent. Progress on document research and production will be reviewed at the next CMC.

[2] The Claimant reported that it had been interviewing elders last week and that it had identified potential oral history witnesses. Interviews will continue next week to confirm whether these elders will be able to offer oral history evidence. If such elders are identified, the Claimant will prepare Will-Say Statements of their evidence for production to the Respondent. As it appears that oral history evidence may be tendered, the Parties will work toward agreement on a protocol for the reception of oral history evidence. The issues of protocol and oral history evidence will be canvassed at the next CMC.

[3] The next CMC will take place by teleconference on **April 22, 2015**, at 2:00 P.M., Eastern Time (Ottawa).

W.L. WHALEN

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Honourable W.L. Whalen