

**FILE NO.:** SCT-4002-12  
**DATE:** 20160224

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
BROKENHEAD OJIBWAY FIRST	)	
NATION	)	Sheryl A. Manychief and Ryan Lake, for the
	)	Claimant
	)	
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	Kristine Whittaker and Paul Anderson, for
As represented by the Minister of Indian	)	the Respondent
Affairs and Northern Development	)	
	)	
	)	
Respondent	)	
	)	
	)	
	)	<b>HEARD:</b> February 16, 2016

**ENDORSEMENT**

**Honourable W.L. Whalen**

A Case Management Conference (CMC) was held by teleconference on February 16, 2016, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Respondent expressed concern about the adequacy of the Will-Says produced by the Claimant in respect of its proposed oral history witnesses. The Claimant stated that it had provided the information requested and that Chief Jim Bear would introduce the witnesses at the

hearing and “provide an overview of the way in which the community identifies individuals who are authorized to pass on the oral history of the Brokenhead people”. The Respondent indicated that it was prepared to proceed but reserved the right to challenge qualifications, admissibility and relevance of the witnesses’ evidence. The Parties have committed to an oral history protocol that addresses the respect with which the witnesses must be questioned. Therefore, the rights the Respondent reserved would be exercised at some time subsequent to the oral history hearing, if necessary. Accordingly, the oral history hearing will proceed as scheduled.

[2] At the Claimant’s request, the Respondent has undertaken further document research that it expects cannot be completed until June 30, 2016. The Parties reported that they had resolved questions about the breadth of the further document research being undertaken.

[3] The Respondent reported that its expert appraisal report would be produced by February 29, 2016. The Claimant’s appraisal expert cannot complete his appraisal report until the document research has been completed and produced. However, the Claimant indicated that it would then not take the expert long to deliver a report. The Respondent indicated that it may retain economic or actuarial experts to prepare a report on the carry forward value of historical loss, but it cannot make that decision until it has received and reviewed the Claimant’s expert’s appraisal report.

[4] The next CMC will be held by teleconference on July 20, 2016, at 12:00 P.M., Eastern Time (Ottawa).

W.L. WHALEN

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Honourable W.L. Whalen