

FILE NO.: SCT-4002-12
DATE: 20170512

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
BROKENHEAD OJIBWAY FIRST NATION)	Ryan Lake, for the Claimant
)	
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT OF CANADA)	Jean-Daniel Boulet, for the Respondent
As represented by the Minister of Indian Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	HEARD: May 8, 2017

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on May 8, 2017, at 12:00 P.M., Eastern Time (Ottawa).

[1] The Claimant reported that it had provided its expert’s report to the Respondent on March 28, 2017. The Respondent stated that it had engaged an expert to prepare a responding report, which was expected to be disseminated sometime during the summer. The Respondent will

identify its expert to the Claimant and provide the expert's qualifications and a summary of the instructions/terms of reference given to the expert.

[2] The Claimant indicated that on March 28, 2017, it had provided the Respondent with a list of proposed documents for inclusion in the Common Book of Documents. The Respondent confirmed that it was reviewing that list and would respond on or before **June 16, 2017**.

[3] The Respondent reported that it had provided the Claimant with a draft Agreed Statement of Facts on February 15, 2017, followed up with underlying citations on March 29, 2017. The Claimant indicated that it was in the process of reviewing that document and would respond within 30 days or on or before **June 7, 2017**.

[4] The Parties were of a view while that an Agreed Statement of Issues had been commenced, it could not be completed until all of the experts' reports had been produced.

[5] The Claimant indicated that it was unable to provide a position on whether the Hydro transmission lines in question had provided the Band with a benefit. The Claimant had no information about such benefit and asked for disclosure of information about such benefit as may be found in existing documentation or through a Manitoba Hydro witness the Respondent was proposing to call. As the Respondent is the Party proposing such evidence, it is asked to disclose what information it might have or obtain in that regard to the Claimant, if the Respondent intends to rely on the information. Progress will be reviewed at the next CMC.

[6] The Respondent still supports bifurcation of the Claim's hearing but will wait for completion of its expert's report before bringing an Application to bifurcate.

[7] The next CMC will be held by teleconference on **September 26, 2017**, at 11:00 A.M., Eastern Time (Ottawa).

W.L. WHALEN

Honourable W.L. Whalen