



for the Respondent indicated that it is regularly monitoring the progress of the search. A Common Book of Documents cannot be prepared until the production of documents is complete. The Claimant has prepared a first draft of an Agreed Statement of Facts, but that too must await the completion of document production.

[2] The Claimant has identified at least one elder who it proposes would provide *viva voce* evidence. Another intended elder has passed away. Accordingly the Claimant is in the process of identifying more elders who might testify. The Claimant's Counsel is in the process of scheduling a time to interview the elder it has identified and at the same time the identities of other elders who might testify should be known. This question will be revisited at the next CMC.

[3] The Claimant reported that it had identified an expert to give historical evidence at the validity phase of the hearing. It is in the process of finalizing the retainer and terms of reference. It will identify the expert and his terms of reference to the Respondent by June 30, 2014, so that the Respondent may begin the process of retaining a responding expert.

[4] The next CMC will be held by teleconference on September 22, 2014, at 11:00 A.M., Eastern Time (Ottawa).

W.L. WHALEN

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Honourable W.L. Whalen