

FILE NO.: SCT-6004-12
DATE: 20150604

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
BLOOD BAND, ALSO KNOWN AS)
KAINAIWA OR KAINAI FIRST)
NATION, THE BLOOD TRIBE OR THE)
BLOOD INDIAN BAND)
As represented by the Chief and) Gilbert Eagle Bear, for the Claimant
Councillors of the Blood Band)
)
)
Claimant)
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT)
OF CANADA)
As represented by the Minister of Indian) Lisa Cholosky, for the Respondent
Affairs and Northern Development)
)
)
Respondent)
)
) **HEARD:** June 2, 2015

ENDORSEMENT

Honourable W.L. Whalen

A Case Management Conference (CMC) was held by teleconference on June 2, 2015, at 8:55 A.M. Central Time (Saskatoon).

[1] The Claimant reported that it is still in the process of compiling and coding the 1298 documents produced by the Respondent and with a view to identifying duplicate documents

when compared with its own documents. The Claimant will complete this process and produce its own documents to the Respondent on or before **August 14, 2015**.

[2] The Respondent reported that it is in the process of transcribing documents that are illegible among its produced documents. The Respondent indicated that it would take full responsibility for transcription of its produced illegible documents.

[3] The Parties reported that there would be no claim of settlement privilege in respect of unmarked or unaltered historical documents produced by the Specific Claims Branch. These documents will also be compiled and compared for overlap as part of the overall documents produced in this claim.

[4] The Claimant reported that it has been delayed in the retainer of an expert. It is meeting with a proposed expert within the next week and hopes that a retainer can be agreed to then. The Claimant then proposes to prepare terms of reference for the expert. Provided the retainer is completed, the Claimant will identify its expert to the Respondent and provide the expert's terms of reference by **August 14, 2015**. The Claimant shall be prepared to discuss the timing of delivery of the expert report at the next CMC.

[5] The Respondent indicated that it will retain a responding expert, but cannot begin that process until it knows the name of the Claimant's expert and has the expert's terms of reference.

[6] The Claimant's counsel reported that he had encountered difficulty in arranging a time to interview the one oral history elder the Claimant intends to call as an oral history witness. The Claimant will complete the interview of the witness by **August 14, 2015**. The Claimant will then prepare a Will Say of the witness' anticipated evidence, production of which will be discussed at the next CMC, as well as whether there will be an advance hearing to receive the testimony.

[7] The Parties reported that they are in the process of negotiating an oral history protocol. The Respondent has proposed a form of protocol. The Claimant will respond with any proposed

amendments on or before **July 17, 2015**. The Parties will finalize the oral history protocol and file a copy of the agreed oral history protocol on or before **August 14, 2015**.

[8] The next CMC will be held by teleconference at a date and time between September 1 and 9, 2015, to be arranged by the Registry.

W.L. WHALEN

Honourable W.L. Whalen