

FILE NO.: SCT-6005-12
DATE: 20180502

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
SWAN RIVER FIRST NATION)	
)	Neil Reddekopp and Ian Bailey, for the
)	Claimant
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Tanya Knobloch and Dalal Mouallem, for
Affairs and Northern Development)	the Respondent
)	
)	
Respondent)	
)	
)	
)	

ORDER

Honourable William Grist

WHEREAS the Preamble to the *Specific Claims Tribunal Act*, SC 2008, c 22, recognizes that it is in the interests of all Canadians that the specific claims of First Nations be addressed and that resolving specific claims will promote reconciliation between First Nations and the Crown and the development and self-sufficiency of First Nations;

AND WHEREAS Rule 3 of the *Specific Claims Tribunal Rules of Practice and Procedure*, SOR/2011-119, establishes that the “Tribunal may make any order that is necessary to secure the just, timely or cost-effective resolution of [a] specific claim”;

AND WHEREAS this Claim was placed in abeyance for the purpose of settlement discussions by an Order of the Honourable William Grist on January 13, 2017;

AND WHEREAS the Claimant and the Respondent have, by agreement entitled “Swan River First Nations Treaty 8 Agricultural Benefits Specific Claim Settlement Agreement” (Settlement Agreement) ratified by the members of the Claimant on July 13, 2017, executed by the Council of the Claimant on behalf of the Claimant on July 14, 2017, and executed by the Minister or the Minister’s duly authorized representative on behalf of the Respondent on February 8, 2018, agreed on the terms of settlement of the Claim;

AND WHEREAS the Settlement Agreement contemplates that the Claim will be abandoned, dismissed or discontinued, and the Claimant and the Respondent agree that the Claim ought to be dismissed by the Tribunal;

AND WHEREAS the Claimant and the Respondent agree with one another that, in dismissing the Claim, the Tribunal ought not to award costs to either Party;

AND UPON THE REQUEST on consent of the Parties set out in their letter and draft order dated March 29, 2018 (attached to this Order);

THE TRIBUNAL ORDERS THAT:

[1] This Claim is hereby dismissed without costs to either the Claimant or the Respondent; and,

[2] Such dismissal is for all purposes of the same force and effect as if Reasons for Decision had been pronounced after a full hearing on the merits.

WILLIAM GRIST

Honourable William Grist

FILE NO.: SCT-6005-12
DATE: _____

SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS
PARTICULIÈRES

April 3, 2018

RECEIVED / REÇU
OTTAWA, ON

SPECIFIC CLAIMS TRIBUNAL

TRIBUNAL DES REVENDICATIONS PARTICULIÈRES

BETWEEN:

SWAN RIVER FIRST NATION)	NEIL REDDEKOPP AND IAN
)	BAILEY, for the Claimant
)	
)	
Claimant)	
)	
-and-)	
)	
HER MAJESTY THE QUEEN IN OF)	TANYA KNOBLOCH AND DALAL
CANADA)	MOUALLEM, for the Respondent
)	
As represented by the Minister of)	
Indian Affairs and Northern)	
Development)	
)	
Respondent)	

ORDER

Honourable William Grist

WHEREAS the Preamble to the *Specific Claims Tribunal Act*, S.C. 2008, c. 22, recognizes that it is in the interests of all Canadians that the specific claims of First Nations be addressed and that resolving specific claims will promote reconciliation between First Nations and the Crown and the development and self-sufficiency of First Nations;

AND WHEREAS Rule 3 of the *Specific Claims Tribunal Rules of Practice and Procedure*, SOR/2011-119, establishes that the “Tribunal may make any order that is necessary to secure the just, timely or cost-effective resolution of [a] specific claim”;

AND WHEREAS this Claim was placed in abeyance for the purpose of settlement discussions by an Order of the Honourable William Grist on January 13, 2017.

AND WHEREAS the Claimant and the Respondent have agreed to settle this Claim for an amount set out in the “Swan River First Nations Treaty 8 Agricultural Benefits Specific Claim Settlement Agreement” (“Settlement Agreement”) ratified by the members of the Claimant on July 13, 2017, executed by the Council of the Claimant on behalf of the Claimant on July 14, 2017, and executed by the Minister or the Minister’s duly authorized representative on behalf of the Respondent on February 8, 2018.

AND WHEREAS the Settlement Agreement contemplates that the Claim will be abandoned, dismissed or discontinued, and the Claimant and the Respondent agree that the Claim ought to be dismissed by the Tribunal;

AND WHEREAS the Claimant and the Respondent agree with one another that, in dismissing the Claim, the Tribunal ought not to award costs to either party;

THE TRIBUNAL ORDERS THAT:

[1] This Claim is hereby dismissed without costs to either the Claimant or the Respondent; and

[2] Such dismissal is for all purposes of the same force and effect as if Reasons for Decision had been pronounced after a full hearing on the merits.

William Grist