

FILE NO.: SCT-6006-12

DATE: 20180302

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
ATHABASCA CHIPEWYAN FIRST)	
NATION)	Richard Secord and Anita Thompson, for the
)	Claimant
)	
Claimant)	
)	
- and -)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	Linda Maj and Sherry Daniels, for the
As represented by the Minister of Indian)	Respondent
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	

ORDER

Honourable Harry Slade, Chairperson

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 Harry Slade on February 26, 2016;

AND WHEREAS the Claimant and the Respondent have, by agreement entitled “Athabasca Chipewyan First Nation Treaty #8 Agricultural Benefits Settlement Agreement” (the Settlement Agreement) ratified by the members of the Claimant on June 23, 2017, executed by the Claimant on August 29, 2017, and executed by the Respondent on January 29, 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 February 23, 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.

HARRY SLADE

Honourable Harry Slade, Chairperson

February 23, 2018

EMAIL TO claims.revendications@sct-trp.ca

SPECIFIC CLAIMS TRIBUNAL
400 - 427 Laurier Avenue West
Ottawa ON K1R 7Y2

Attention: Registrar

Dear Sir/Madam:

Re: Athabasca Chipewyan First Nation v HMTQ Canada - SCT 6006-12

We represent the Athabasca Chipewyan First Nation (the "Claimant") in the above-captioned action (the "Claim"). We ask that you bring this correspondence to the attention of the Honourable Harry Slade, Chairperson.


We are writing to advise that the Claimant and HMTQ Canada ("Canada") have reached an agreement to settle the Claim. A Settlement Agreement was approved by the members of the Claimant and executed by the Claimant in August 2017. The Settlement Agreement has now been signed by Canada.

Pursuant to the terms of the Settlement Agreement, the First Nation has instructed its legal counsel to seek a dismissal of the claim.

Accordingly, we are writing to request that the Court issue the attached Order dismissing the Claim without costs to any party, consented to by Canada.

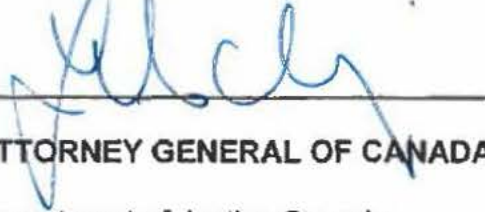
If the Tribunal has any questions or requires any further information, the parties would be pleased to make further submissions.

Yours truly,


For **ACKROYD LLP**
RICHARD SECORD
Counsel for the Claimant
Encl.
cc: Linda Maj, Counsel for Canada

SPECIFIC CLAIMS TRIBUNAL		
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES		
F I L E D	February 26, 2018	D E P O S E
David Burnside		
Ottawa, ON	23	

Consented to by Counsel for the Respondent
Her Majesty the Queen in Right of Canada



ATTORNEY GENERAL OF CANADA

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Per: Linda Maj
Tel: (780) 495-8695
Email: linda.maj@justice.gc.ca

Counsel for the Respondent

FILE NO.: SCT-6006-12

DATE: _____

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:

ATHABASCA CHIPEWYAN FIRST NATION)	Richard Secord, for the Claimant
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)	
)	
Claimant)	
)	
-and-)	
)	
HER MAJESTY THE QUEEN IN OF CANADA)	Linda Maj, for the Respondent
)	
)	
As represented by the Minister of Indian Affairs and Northern Development)	
)	
)	
Respondent)	

ORDER

Honourable Harry Slade, Chairperson

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 Harry Slade on February 26, 2016.

AND WHEREAS the Claimant and the Respondent have agreed to settle this Claim for an amount set out in the Athabasca Chipewyan First Nation Treaty #8 Agricultural Benefits Settlement Agreement (the “Settlement Agreement”) ratified by the members of the Claimant on June 23, 2017, executed by the Claimant on August 29, 2017, and executed by the Respondent on January 29, 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.

Honourable Harry Slade, Chairperson