

**FILE NO.:** SCT-6001-13  
**DATE:** 20181218

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
ALEXANDER FIRST NATION	)	
	)	Robert J. Potts and Alan Pratt, for the
	)	Claimant
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Indian	)	Tanya Knobloch and Eve Coppinger, for the
Affairs and Northern Development	)	Respondent
	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	<b>HEARD:</b> December 12, 2018

**ENDORSEMENT AND ORDER**

**Honourable Paul Mayer**

**FURTHER** to a Case Management Conference (CMC) held by teleconference on December 12, 2018, at 4:30 P.M., Eastern Time (Ottawa):

[1] The Claimant previously reported, on March 16, 2018, that its Chief and Council had written to the Honourable Minister of Crown-Indigenous Relations and Northern Affairs

(Honourable Minister) on February 20, 2018, to request that the Respondent engage in alternative dispute resolution to settle this Claim.

[2] Since then, the Tribunal has held two CMCs at which the Tribunal ordered a stay of proceedings from April 4, 2018 to August 2, 2018, and a second stay of proceedings from August 31, 2018 to December 3, 2018, to await the Honourable Minister's response.

[3] The Claimant reported that it had received a letter from the Honourable Minister dated October 24, 2018. The letter indicated that the matter remains under consideration and did not specify whether the Respondent would or would not enter into alternative dispute resolution. The Respondent's Counsel confirmed that she had not received instructions on whether or not the Respondent would engage in alternative dispute resolution, nor had she received further information on when such instructions may be received.

[4] The Tribunal considers that this delay in obtaining instructions and the lack of information about when such instructions may be forthcoming are unacceptable, disrespectful to the Claimant, and not in keeping with the spirit of reconciliation.

[5] The Parties agreed to seek further instructions from their principals to clarify their positions in advance of the next CMC.

[6] The Claimant indicated that it strongly prefers a mediated resolution of the Claim and remains optimistic that this may occur in the coming months. For this reason, the Tribunal supports a further extension of the stay of proceedings in the particular circumstances of this Claim.

**THE TRIBUNAL ORDERS THAT:**

[7] The stay of proceedings is extended until February 14, 2019, to allow further time for the Honourable Minister to provide instructions to the Respondent's Counsel on whether or not the Respondent will engage in alternative dispute resolution to attempt to resolve this Claim; and,

[8] The next CMC will be held by teleconference on **February 14, 2019**, at 12:30 P.M., Eastern Time (Ottawa).

PAUL MAYER

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Honourable Paul Mayer