

FILE NO.: SCT-7005-13
DATE: 20181025

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
HUU-AY-AHT FIRST NATIONS)	
)	Lisa Glowacki and Emma K. Hume, for the
)	Claimant
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	John H. Russell, Fred Wan and Sandra
Affairs and Northern Development)	Evans, for the Respondent
)	
)	
Respondent)	
)	
)	
)	HEARD: October 23, 2018

ENDORSEMENT

Honourable William Grist

A Pre-Hearing Conference was held by teleconference on October 23, 2018, at 2:00 P.M., Eastern Time (Ottawa).

[1] The expert evidence and oral submissions hearing will commence on **November 19, 2018**, in Vancouver and is expected to last five days.

[2] The Parties agreed to assemble a Common Book of Documents (CBD) with agreed authenticity and a range of relevance. Submissions as to weight may be made at the expert

evidence and oral submissions hearing. The Parties agreed that the CBD will include three binders sorted by categories that have been identified by the Parties, loosely described as relating to the Sarita access route, documents referred to by the experts, and documents relating to other access routes and logging road rights of way through other Indian Reserves.

[3] The Claimant sought to include certain trust account documents in the CBD. The Claimant asserted that the documents contained the dates and amounts of payments made into the Claimant's trust account pursuant to the agreements in issue in the Claim. These documents will not be included in the CBD at this time but may be addressed during the compensation phase of the Claim, if necessary. The Respondent is at liberty to challenge the relevance of those documents at that time.

[4] The Parties agreed that by **October 25, 2018**, at 5:00 P.M., Pacific Time (Vancouver), they will have made best efforts to reach an agreement on the list of documents to be included in each binder of the CBD, distinguishing between those with agreed authenticity and relevance, and those with agreed authenticity but for which the appropriate weight is likely to be a matter of dispute. If the Parties are unable to reach agreement on the contents of the CBD by **October 25, 2018**, at 5:00 P.M., Pacific Time, the Parties will notify the Registry and provide a status update, jointly or individually.

[5] The CBD will be filed as soon as possible. At the latest, the CBD will be filed with the Tribunal on **November 16, 2018**, by 5:00 P.M., Eastern Time (Ottawa).

[6] The Claimant anticipates that its lay witnesses will give evidence that is not oral history evidence.

[7] The order of witnesses and submissions at the expert evidence and oral submissions hearing will be:

- a. Monday, November 19, 2018:
 - i. Claimant's opening;
 - ii. Chief Robert Dennis, Huu-Ay-Aht;

- iii. Jeff Cook, HUU-Ay-Aht member; and,
 - iv. Bruce Blackwell, expert.
- b. Tuesday, November 20, 2018:
- i. Bruce Blackwell, continued.
- c. Wednesday, November 21, 2018:
- i. Respondent's opening; and,
 - ii. David Barker, expert.
- d. Thursday, November 22, 2018:
- i. David Barker, continued; and,
 - ii. David Osland, expert.
- e. Friday, November 23, 2018:
- i. David Osland, continued;
 - ii. Claimant's closing submissions;
 - iii. Respondent's closing submissions; and,
 - iv. Claimant's reply, if needed.

WILLIAM GRIST

Honourable William Grist