

FILE NO.: SCT-7007-13

DATE: 20170103

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
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)	Darwin Hanna, Rhaea Bailey and Mary
)	Mollineaux, for the Claimant
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	James Mackenzie, Whitney Watson and
Affairs and Northern Development)	Richelle Rae, for the Respondent
)	
)	
Respondent)	
)	
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)	
)	HEARD: November 9, 2016

ENDORSEMENT AND ORDER

Honourable Harry Slade, Chairperson

A Case Management Conference (CMC) was held by teleconference on November 9, 2016, at 11:30 A.M., Eastern Time (Ottawa).

[1] Prior to the next CMC, a potential timeline to exchange remaining expert reports and any reply expert reports shall be provided jointly by the Parties.

[2] Prior to the next CMC, the Respondent shall advise the Claimant and the Tribunal on whether the Respondent will object to any part of Ms. Marjorie Violet Birdstone's transcript evidence, previously adduced on a *voir dire*.

[3] Prior to the next CMC, the Respondent shall advise the Claimant and the Tribunal on the Respondent's intention to apply to examine Father LaPlante sometime prior to the expert evidence hearing taking place and potentially by deposition on consent of the Claimant and Father LaPlante.

[4] At the next CMC, options and dates for another potential evidence hearing, possibly to be held in Fall of 2017, shall be discussed, including possibility of:

- a. the Tribunal recalling, on consent of the Parties, Ms. Sophie Pierre for further examination in accordance with the Order dated October 13, 2016; and,
- b. the Parties' experts testifying.

[5] The Parties shall contact the Registry to schedule the next CMC to take place sometime after **February 3, 2017**.

[6] On consent of the Parties, pursuant to Rules 3 and 5 of the *Specific Claims Tribunal Rules of Practice and Procedure*, SOR/2011-119, and by analogy to Rule 52.5 of the *Federal Court Rules*, SOR/98-106, **THE TRIBUNAL ORDERS** that:

- a. On or before **January 6, 2017**, the Respondent shall serve and file an Application containing the particulars of and basis for its objection to the admissibility of the expert report of Mr. Ryan Blaak, and shall include Mr. Blaak's report together with the Respondent's annotations of concern;
- b. On or before **January 27, 2017**, the Claimant shall serve and file a Response to the Application, which shall include an affidavit in addition to the *curriculum vitae* of Mr. Blaak;
- c. On or before **February 3, 2017**, the Respondent shall advise the Claimant on whether it will seek to cross-examine Mr. Blaak on his affidavit;

d. Should the Crown seek to cross-examine Mr. Blaak on his affidavit, then the Parties shall propose a joint plan for proceeding giving consideration to the Tribunal's mandate to adjudicate specific claims in a just and timely manner; and,

e. Should the Parties not be able to reach an agreement on a joint plan for proceeding, the Parties shall seek further direction from the Tribunal at the next CMC.

HARRY SLADE

Honourable Harry Slade, Chairperson