

FILE NO.: SCT-7001-14
DATE: 20180301

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
TOBACCO PLAINS INDIAN BAND)	Darwin Hanna, Caroline Roberts and Kirk
)	Gehl, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Kelly Keenan, Michael Mladen and Ainslie
Affairs and Northern Development)	Harvey, for the Respondent
)	
)	
Respondent)	
)	
)	
)	
)	

ORDER

Honourable Harry Slade, Chairperson

WHEREAS the Tribunal released Reasons for Decision for Stage One of this proceeding on November 28, 2017, and found that the Respondent had breached fiduciary duties owed to the Claimant;

WHEREAS the Parties agree that the Claimant’s total costs and disbursements for Stage One are \$156,679.35;

WHEREAS the Respondent has provided \$112,435 to the Claimant for the purpose of bringing this proceeding, and this amount shall be deducted from any award of costs in favour of the Claimant pursuant to subsection 13(2) of the *Specific Claims Tribunal Act*, SC 2008, c 22;

AND UPON THE REQUEST on consent of the Parties set out in the Respondent's letter and draft Order dated February 22, 2018 (attached to this Order);

THE TRIBUNAL ORDERS THAT:

- [1] The Respondent shall pay costs and disbursements in the sum of \$44,244.35; and,
- [2] Payment of \$44,244.35 shall be made by trust cheque to the Claimant's legal counsel.

HARRY SLADE

Honourable Harry Slade, Chairperson

SPECIFIC CLAIMS TRIBUNAL

BETWEEN:

TOBACCO PLAINS INDIAN BAND

SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS
PARTICULIÈRES

February 22, 2018

RECEIVED / REÇU
OTTAWA, ON

Claimant

v.

HER MAJESTY THE QUEEN IN RIGHT OF CANADA

As represented by the Minister of Aboriginal Affairs and Northern Development Canada

Respondent

Order

WHEREAS the Tribunal released Reasons for Decision for Stage One of this proceeding on November 28, 2017, and found that the Respondent had breached fiduciary duties owed to the Claimant;

WHEREAS the Parties agree that the Claimant's total costs and disbursements for Stage One are \$156,679.35; and

WHEREAS the Respondent has provided \$112,435 to the Claimant for the purpose of bringing this proceeding, and this amount shall be deducted from any award of costs in favour of the Claimant pursuant to section 13(2) of the *Specific Claims Tribunal Act*, SC 2008, c 22;

THE TRIBUNAL ORDERS THAT:

[1] The Respondent shall pay costs and disbursements in the sum of \$44,244.35; and

[2] Payment of \$44,244.35 shall be made by trust cheque to the Claimant's legal counsel.

JUDGE