

FILE NO.: SCT-7001-14
DATE: 20180514

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
TOBACCO PLAINS INDIAN BAND)	Kirk Gehl and Caroline Roberts, for the
)	Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	Ainslie Harvey, for the Respondent
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: May 7, 2018

ENDORSEMENT AND ORDER

Honourable William Grist

FURTHER to a Case Management Conference (CMC) held by teleconference on May 7, 2018, at 2:00 P.M., Eastern Time (Ottawa):

[1] The Parties reported that they have agreed to negotiate the second phase of this Claim and that they signed a Negotiation Protocol on May 1, 2018. The Parties shall forward a copy of the Negotiation Protocol to the Tribunal. If the Negotiation Protocol is subsequently updated, the Parties will forward the updated Protocol to the Tribunal.

[2] The Parties shall provide the Tribunal with a copy of their work plan for negotiations.

[3] The Claimant has commissioned appraiser Rod Cook to prepare an expert report which will include an estimate of compensation in accordance with paragraphs 20(1)(g) and (h) of the *Specific Claims Tribunal Act*, SC 2008, c 22. The Claimant agreed that the expert report will be in a form that could be used as evidence before the Tribunal should negotiations fail. The Respondent will check with its negotiation team and confirm whether they agree that should negotiations fail, the expert report can be provided to the Tribunal as evidence. The Claimant expects to present its expert report to the Respondent in July 2018 prior to the negotiation meeting set for July 20, 2018.

[4] The Respondent will advise the Claimant and Tribunal in writing as to whether it will prepare a separate expert report.

[5] The Parties reported that future negotiation meetings have been scheduled for July 20, 2018, September 18, 2018 and December 6, 2018. Additional negotiation meetings may be added as required.

[6] The Parties shall file a progress report, preferably jointly, with the Tribunal shortly after the negotiation meeting to be held on September 18, 2018.

[7] The Parties will coordinate with the Registry the date and time of the next CMC which is to be held by teleconference shortly after the negotiation meeting to be held on December 6, 2018.

THE TRIBUNAL ORDERS THAT:

[8] A stay of proceedings is granted until December 14, 2018 to allow the Parties to negotiate compensation for this Claim; and,

[9] Either Party may contact the Tribunal to request a CMC to reactivate the Claim at any time during the stay of proceedings.

WILLIAM GRIST

Honourable William Grist