

**FILE NO.:** SCT-1001-16  
**DATE:** 20181022

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

**BETWEEN:** )  
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EEL RIVER BAR FIRST NATION )  
) Delia Opekokew and Murray Klippenstein,  
) for the Claimant  
Claimant )  
)  
- and - )  
)  
HER MAJESTY THE QUEEN IN RIGHT )  
OF CANADA )  
As represented by the Minister of Indian ) Patricia MacPhee, for the Respondent  
Affairs and Northern Development )  
)  
Respondent )  
)  
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)  
) **HEARD:** October 16, 2018

**ENDORSEMENT**

**Honourable Paul Mayer**

A Case Management Conference (CMC) was held by teleconference on October 16, 2018, at 4:00 P.M., Eastern Time (Ottawa).

[1] The Parties have been cooperating and progressing on the Common Book of Documents. Documents relied on by the experts may be added to the Common Book of Documents.

[2] With respect to the joint engineering expert, the Respondent and Claimant have exchanged draft questions for the proposed joint expert and they are close to reaching a mutually satisfactory work description for the expert. The work proposal will be finalized by the Parties as soon as possible.

[3] At the next CMC, the Parties will speak to the anticipated timeline for the completion of their expert reports and responses (if any).

[4] The Respondent has yet to decide if a historical report is required. The Respondent shall speak to this at the next CMC.

[5] The Claimant's expert, Joan Holmes, has completed most of her work on the narrow issue of gravel removal in the province.

[6] The Respondent has raised the issue of potential expert reports on the Claimant's alleged damages to fish and other animal habitats. The Claimant's expert, Peter Armitage, may report on former hunting and gathering practices, fishing sites and types of wildlife that are particular to the Claim. The Parties may wait to receive this information before addressing this issue.

[7] The Respondent raised the issue of determining the precise figure of what was actually removed in terms of sand and gravel from the reserve. The Parties will speak to this issue at the next CMC.

[8] At the next CMC, the Parties will also speak to the issue of historical loss for the alleged inadequate pricing, which should be determined at the validity stage.

[9] The next CMC will be held by teleconference on **December 20, 2018**, at 4:00 P.M., Eastern Time (Ottawa).

PAUL MAYER

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Honourable Paul Mayer