

FILE NO.: SCT-5002-16
DATE: 20200217

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)
)
KAHKEWISTAHAW FIRST NATION)
) Stephen M. Pillipow and Adam Touet, for
) the Claimant
Claimant)
)
- and -)
)
HER MAJESTY THE QUEEN IN RIGHT)
OF CANADA)
As represented by the Minister of Crown-) Lauri M. Miller and Scott T. Bell, for the
Indigenous Relations) Respondent
)
)
Respondent)
)
)
) **HEARD:** February 12, 2020

ENDORSEMENT

Honourable Victoria Chiappetta

A Case Management Conference was held by teleconference on February 12, 2020, at 12:00 P.M., Eastern Time (Ottawa).

[1] The Parties shall file with the Tribunal on or before **March 31, 2020**, the following documents:

- (a) Common Book of Documents;

- (b) Agreed Statement of Issues;
- (c) Joint expert protocol: setting out which of the two witnesses on the DEMA Land Services panel (Dallas Maynard and Alana Kelbert) will testify on each issue;
- (d) List of witnesses: indicating issues on which each witness will speak, and agreement between the Parties on the length of time anticipated for examination-in-chief and cross-examination; and,
- (e) Agreed Statement of Facts: if there are any facts on which the Parties cannot agree, the Parties shall set out matters on which they do not agree and the reasons why they do not agree.

[2] The Parties indicated that they do not anticipate updating any of the expert reports prior to the April 27-30, 2020 expert evidence hearing.

[3] The April 27-30, 2020 expert evidence hearing on validity may also include testimony by an Elder. The Claimant indicated that the DEMA Land Services Inc. evidence for this hearing is limited to evidence on liability and losses suffered and the witnesses will not speak to present value. This Claim was bifurcated by Order of the Tribunal dated February 13, 2017.

[4] The Claimant hopes to be able to identify an Elder to testify at the hearing. The Elder in question has had a medical issue. In the next few weeks, the Claimant hopes to be able to discuss with them their availability.

[5] A Pre-Hearing Conference (PHC) will be held by teleconference on **April 14, 2020**, at 10:30 A.M., Eastern Time (Ottawa). Briefs are not required. The purpose of the PHC is to check in and ensure that all is ready for the expert evidence hearing on validity.

VICTORIA CHIAPPETTA

Honourable Victoria Chiappetta