

**FILE NO.:** SCT-7002-16  
**DATE:** 20171204

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
ESK'ETEMC FIRST NATION	)	
	)	Stan H. Ashcroft, for the Claimant
	)	
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Indian	)	Michelle Casavant, for the Respondent
Affairs and Northern Development	)	
	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	<b>HEARD:</b> November 23, 2017

**ENDORSEMENT**

**Honourable Paul Mayer**

A Case Management Conference (CMC) was held by teleconference on November 23, 2017, at 3:30 P.M., Eastern Time (Ottawa).

[1] The Respondent filed an Amended Response with the Tribunal on November 23, 2017. The Amended Response indicates that Canada accepts the validity of the Claim “that it breached a fiduciary obligation owed to the First Nation by not challenging Mr. Wright’s pre-emption of the Meadow Lands.” As a result, the Parties are negotiating a resolution of the Claim.

[2] At the next CMC, the Parties will discuss whether the Claim should be put into abeyance to allow the Parties to negotiate. The Claimant indicated that if the matter is not resolved in a year, it would like to be able to come back to the Tribunal for a hearing on compensation.

[3] Prior to the next CMC, the Parties will establish a joint work plan and time line for negotiations, and will file it with the Tribunal.

[4] Prior to the next CMC, the Claimant will discuss with the Respondent paragraphs 8 and 51 of the Respondent's Amended Response. At the next CMC, the Respondent will provide an explanation of these two paragraphs to the Tribunal.

[5] At the next CMC, the Tribunal will discuss with the Parties whether the site visit scheduled for January 16, 2018 should be cancelled, given that the Parties are now negotiating a resolution.

[6] On or before **December 6, 2017**, the Parties will communicate with the Registry to indicate their availability for a CMC to be held before December 21, 2017 if possible.

PAUL MAYER

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Honourable Paul Mayer