

FILE NO.: SCT-7001-17

DATE: 20190214

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
KWAKIUTL)	
)	Christopher Devlin and Tanner Doerges, for
)	the Claimant
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	James Mackenzie and Deborah McIntosh,
Affairs and Northern Development)	for the Respondent
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: February 5, 2019

ENDORSEMENT

Honourable William Grist

A Case Management Conference (CMC) was held by teleconference on February 5, 2019, at 2:00 P.M., Eastern Time (Ottawa).

[1] The Claimant has indicated that it will rely on three expert reports: two by Mr. John Dewhirst and one by Dr. Robert Galois.

Mr. Dewhirst's First Report

[2] The following dates continue in force as indicated in the Tribunal's Endorsement of September 5, 2018:

- a. The Respondent shall provide its historical expert report in response to Mr. Dewhirst's first report to the Claimant on or before **April 15, 2019**; and,
- b. The Claimant shall provide its reply to the Respondent's responding historical expert report on or before **June 14, 2019**.

Mr. Dewhirst's Second Report

[3] The Respondent has determined that it will provide an archaeological report to respond to Mr. Dewhirst's second report (supplemental report). The Respondent anticipates being able to provide the responding archaeological report to the Claimant on or before **September 6, 2019**, subject to confirmation with its expert as to timelines. The Respondent will confirm the September 6, 2019, deadline in writing as soon as possible. The Claimant will make best efforts to indicate in writing on or before **October 1, 2019**, whether it anticipates that it will provide a reply report.

Mr. Galois' Report

[4] The Respondent has asked its expert historian to review the demographic report by the Claimant's expert, Mr. Galois. The Respondent will indicate in writing on or before **September 6, 2019**, whether it will provide a responding report. The Claimant will make best efforts to indicate in writing on or before **October 1, 2019**, whether it anticipates that it will provide a reply report.

Timeline

[5] Given the amount of time required for the completion of the Respondent's archaeological report in response to Mr. Dewhirst's supplemental report, the Parties have indicated that an adjustment to the validity hearing dates as well as other time frames is required. Other than the two dates related to Mr. Dewhirst's first report as indicated above, all of the other dates set out in

the Tribunal's Endorsement dated September 5, 2018, are vacated. The hearing dates set aside for August 13-16 and 19-23, 2019, are also vacated.

[6] At the next CMC, the Parties shall be prepared to speak to a revised schedule for the filing of the Agreed Statement of Facts, Agreed Statement of Issues and Common Book of Documents, as well as new dates for a hearing in Fort Rupert which may include lay witnesses, experts and oral submissions.

[7] The Parties shall contact the Registry to schedule a CMC as soon after October 1, 2019, as is convenient for the schedules of the Parties and the Tribunal.

WILLIAM GRIST

Honourable William Grist