

SPECIFIC CLAIMS TRIBUNAL

F I L E D	SPECIFIC CLAIMS TRIBUNAL TRIBUNAL DES REVENDIGATIONS PARTICULIÈRES	D É P O S É
	May 7, 2018	
	Guillaume Phaneuf	
Ottawa, ON		14

BETWEEN:

ESK'ETEMC FIRST NATION

Claimant

v.

HER MAJESTY THE QUEEN IN RIGHT OF CANADA
As represented by the Minister of Indian Affairs and Northern Development

Respondent

**NOTICE OF APPLICATION ON CONSENT
HEARING DATE: MAY 14, 2018**

Pursuant to Rules 11, 31 and 34 of the *Specific Claims Tribunal Rules of Practice and Procedure* and pursuant to the Endorsement of the Honourable Paul Mayer for the Case Management Conference of March 28, 2018 (the "March 28, 2018 Endorsement"), this Notice of Application for an Order granting a stay of the within proceedings is filed jointly by the Parties, on Consent.

THE RELIEF SOUGHT BY THE PARTIES:

1. An Order granting a stay of the within proceedings, for a period of at least six (6) months, to allow the Parties to pursue a negotiated settlement, and an Order permitting the Parties to make a further application to seek to extend the stay of proceedings after the initial period granted.

THE GROUNDS FOR THE APPLICATION ARE:

1. This Application is brought with leave of the Tribunal as set out in paragraph 1 of the March 28, 2018 Endorsement.
2. Rules 11, 31 and 34 of the *Specific Claims Tribunal Rules of Practice and Procedure*.
3. The Parties have agreed to pursue a negotiated settlement and to a stay of the within proceedings pending the outcome of the settlement negotiations.
3. Pursuant to the March 28, 2018 Endorsement, the Parties have agreed to take the following measures to advance the negotiations during the period for which the proposed stay remains in effect:
 - a. the Parties will have an initial meeting via teleconference in May, 2018, the date to be determined. During this teleconference, the Parties will agree on the dates for further meetings;
 - b. the Parties are developing a work plan for the negotiations; a copy of the current draft work plan is attached;
 - c. the Parties will deliver expert reports, if any, by September 28, 2018;
 - d. if the parties are unable to settle the matter by November 16, 2018, one or both parties may ask that the Tribunal proceedings resume;
 - e. the Parties are not seeking Tribunal-assisted mediation at this time; and
 - f. the Parties agree to provide bi-monthly updates to the Specific Claims Tribunal.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Application:

1. Draft Work Plan;
2. Notice of Application; and
3. Consent of the Parties to the Relief sought.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

CONSENTED to this 7th day of May, 2018



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Solicitor/Counsel for the Claimant,
Esk'eteme First Nation

CONSENTED to this 7th day of May, 2018



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