

FILE NO.: SCT-7003-17
DATE: 20200210

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
ESK'ATEMC FIRST NATION)	
)	Stan H. Ashcroft, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	Michelle Casavant, for the Respondent
As represented by the Minister of Crown-)	
Indigenous Relations)	
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: January 27, 2020

ENDORSEMENT

Honourable Paul Mayer

A Case Management Conference (CMC) was held by teleconference on January 27, 2020, at 4:30 P.M., Eastern Time (Ottawa).

[1] The stay of proceedings in this Claim expired on June 10, 2019, and has not been renewed.

[2] The Tribunal noted that the Respondent did not reply to the Direction issued to it on July 10, 2019, directing it to provide a timeline for its expert report. The Respondent provided this information only in December 2019, after a second Direction, and thus the Tribunal has only been recently informed that the expert work is anticipated to go into December 2020. The expert has not yet been retained. The Tribunal finds this delay to be excessive and notes that it ought to have been raised with the Tribunal earlier, by either Party.

[3] The Respondent offered an explanation for the delay at the CMC, which was welcomed. The Tribunal encourages greater transparency from the Respondent in general.

[4] The Parties shall develop a plan for their proposed negotiations before the next CMC, including a timeline for expert reports, number of meetings anticipated, and an Application for a stay of proceedings under Practice Direction #15.

[5] The next CMC will be held by teleconference on **March 19, 2020**, at 4:30 P.M., Eastern Time (Ottawa).

PAUL MAYER

Honourable Paul Mayer