

SPECIFIC CLAIMS TRIBUNAL		
F I L E D	TRIBUNAL DES REVENDEICATIONS PARTICULIÈRES	D E P O S É
March 11, 2020		
Isabelle Bourassa		
Ottawa, ON	26	

SCT File No.: SCT-7003-17

SPECIFIC CLAIMS TRIBUNAL

B E T W E E N:

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

Pursuant to Rules 11, 31 and 34 of the *Specific Claims Tribunal Rules of Practice and Procedure*, Tribunal Practice Direction #15, and pursuant to the Endorsement of the Honourable Paul Mayer dated **February 10, 2020**, this Notice of Application for an Order granting a stay of the within proceedings is filed jointly by the Parties.

THE RELIEF SOUGHT BY THE PARTIES:


1. An Order granting a further stay of the within proceedings, for a period of six (6) months, to allow Canada to obtain response expert reports, to continue the pursuit of a negotiated settlement, and an Order permitting the Parties to make a further application to seek to extend the stay of proceedings after the period granted.

THE GROUNDS FOR THE APPLICATION ARE:

2. This Application is brought with leave of the Tribunal as set out in **paragraph 4 of the February 2, 2020** Endorsement.
3. Rules 11, 31 and 34 of the *Specific Claims Tribunal Rules of Practice and Procedure* and Tribunal Practice Direction #15.
4. Canada wishes to continue to pursue a negotiated settlement and to a further stay of the within proceedings pending the outcome of the settlement negotiations.
5. Canada will take the following measures to advance the negotiations during the period for which the proposed stay remains in effect:
 - a. Canada provides the following as an anticipated schedule of activities for the settlement negotiations:
 - i) Canada expects that the experts will conduct their research and draft reports from April until September 2020.
 - ii) Canada anticipates sharing the expert report with the Claimant in September 2020. The negotiation teams will review the results of Canada's expert reports and meet to discuss the results of the studies through October and November 2020 and try to agree on an approach to settlement.
 - iii) Canada would develop and seek approval for a financial mandate to settle the claim from November 2020 – January 2021.
 - b. Canada agrees to provide a status update to the Tribunal in September 2020.
6. In the event that the stay of proceedings is granted, Canada intends to work with the Claimant to develop a work plan setting out a schedule of meeting dates to advance negotiations.

Canada requests that the dates set forth herein be included in an Order extending the stay of proceedings.

EXECUTED this 11th day of March, 2020



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