

FILE NO.: SCT-7001-18
DATE: 20190515

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
KANAKA BAR INDIAN BAND)	
)	Kirk Gehl, for the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	
OF CANADA)	
As represented by the Minister of Indian)	James M. Mackenzie and James Rendell, for
Affairs and Northern Development)	the Respondent
)	
)	
Respondent)	
)	
)	
)	
)	HEARD: May 8, 2019

ENDORSEMENT AND ORDER

Honourable William Grist

WHEREAS at the Case Management Conference (CMC) held on May 8, 2019, the Parties applied for a stay of proceedings in order to negotiate a settlement on compensation for this Claim;

AND WHEREAS the Parties' Joint CMC Brief filed with the Tribunal on April 29, 2019, contains information regarding filing of a draft Consent Order and a draft Endorsement and Order for a stay of proceedings;

THE TRIBUNAL ORDERS THAT:

[1] A stay of proceedings is granted until **November 8, 2019**;

[2] The Parties shall file, by joint brief or separate briefs, on or before **August 8, 2019**, an update with the Tribunal with respect to the progress of negotiations, to include the following information as required by Practice Direction #15:

- a. A copy of the written agreement to enter into negotiations;
- b. Whether without prejudice settlement offers have been made and responded to, with dates;
- c. Whether the Parties have agreed upon the basis for compensation;
- d. Whether additional expert reports, separate or joint, have been commissioned or obtained since the filing of the Parties' Joint CMC Brief on April 29, 2019, including a description of subject matter and dates; and whether any such additional reports have been prepared in a format suitable for the Tribunal in the event that negotiations are unsuccessful;
- e. Whether there are any areas of disagreement on which the Parties would be open to mediation by the Tribunal;
- f. A list of any remaining contentious issues; and,
- g. A summary of the measures presently planned to advance the negotiation during the period for which the proposed stay remains in effect, including the schedule of meeting dates and agreed dates, if any, for presentation of offers and counter-offers.

[3] If the Parties wish to seek an extension of the stay of proceedings beyond November 8, 2019, another CMC will be held prior to November 1, 2019.

WILLIAM GRIST

Honourable William Grist