



THE CANADIAN  
BAR ASSOCIATION

## 2009 National Aboriginal Law Conference

# Overlapping Territorial Claims: Models for Dispute Resolution and Business Structures

June 12-13, 2009

Delta Victoria Ocean Pointe Resort Hotel and Spa, Victoria, BC

### Friday, June 12

8:15am – 8:45am

Registration – Ballroom Foyer

*\*All conference sessions to take place in the Ascot Room\**

8:45am – 9:00am

Opening Remarks by Conference Co-Chairs

**Krista Robertson**, Woodward & Company, Victoria

**Jim Reynolds**, Ratcliff & Company LLP, Vancouver

Opening Welcome

**Frank George Sr.**, Councillor, Songhees Nation

9:00am – 10:45am

Working With Overlaps in the Modern Treaty Context

**Moderator: Krista Robertson**, Woodward & Company, Victoria

**Indigenous Legal Models on Overlap Resolution**

**Sarah Morales**, University of Victoria

**Negotiating Protocol Agreements for Treaty Overlap Areas**

**Murray Browne**, Woodward & Company, Victoria

**British Columbia Treaty Commission (BCTC) Initiatives to Address Overlaps in Treaty Settlements**

**Chief Commissioner Sophie Pierre**, BC Treaty Commission

**Case Law on Modern Treaty Overlap Litigation**

**Christopher Devlin**, Devlin Gailus, Victoria

**Overlaps in the Modern Treaty Context: The Federal Government Perspective**

**Mark E.W. East**, Legal Counsel, Department of Justice, Treaties and Aboriginal Government

**10:45am – 11:00am Refreshment Break**

**11:00am – 12:30pm Working With Overlaps in the Aboriginal Rights and Title Context**

**Moderator: Krista Robertson**, Woodward & Company, Victoria

**Indigenous Legal Approaches to Overlaps**

**Professor John Borrows**, University of Victoria

**Negotiated Models in Practice**

**Greg McDade, Q.C.**, Ratcliff & Company LLP, Vancouver

**Negotiated Models in Practice – The Tsilhqotin Experience**

**David Robbins**, Woodward & Company, Victoria

**Third Party Dispute Resolution: Models**

**Stuart Rush, Q.C.**, Rush Crane Guenther, Vancouver

**12:30pm – 1:45 pm Luncheon with Keynote Speaker, Thomas R. Berger, O.C., Q.C., Berger & Company, Vancouver**  
*\*Harbour Room\**

**1:45pm – 2:45pm Solicitors Issues I: Solving Overlaps**

**Moderator: Gary Campo**, Woodward & Company, Victoria

**Roundtable on the Challenges of Solving Overlaps for Solicitors**

**Jim Reynolds**, Ratcliff & Company LLP, North Vancouver

**Merrill Shepard**, Donovan & Co, Vancouver

**Bill Maclagan**, Blake, Cassells & Graydon LLP, Vancouver

**Peter Ranson**, KPMG, Prince George

**Business Structures**

**Jim Reynolds**, Ratcliff & Company LLP, North Vancouver

**Merrill Shepard**, Donovan & Co, Vancouver

**2:45pm – 3:00pm Refreshment Break**

**3:00pm – 4:00pm Solicitors Issues II: Solving Overlaps**

**Moderator: Gary Campo**, Woodward & Company, Victoria

**Taxation of Business Structures**

**Bill Maclagan**, Blake, Cassells & Graydon LLP, Vancouver

**Peter Ranson**, KPMG, Prince George

**Roundtable on Resolving the Challenges of Business Structures**

**Jim Reynolds**, Ratcliff & Company LLP, North Vancouver

**Merrill Shepard**, Donovan & Co, Vancouver

**Bill Maclagan**, Blake, Cassells & Graydon LLP, Vancouver

**Peter Ranson**, KPMG, Prince George

**4:30pm – 6:00pm**      **Cocktail Reception, Delta Victoria Ocean Pointe Resort Hotel and Spa**  
*Sponsored by Devlin Gailus*

**Saturday, June 13**

**8:45am**                      **Registration**

**9:00am – 10:15am**      **Accommodation Agreements and Overlaps**

**Moderator: JoAnn Jamieson**, Osler, Hoskin & Harcourt LLP,  
Calgary

**Negotiating Accommodation Agreements**

**Ming Song**, McDonald & Company, Vancouver

**Business Arrangements with First Nations: Going Beyond "Impacts"  
and "Benefits"**

**Caroline Findlay**, Blake, Cassels & Graydon LLP, Vancouver

**Enbridge's Aboriginal Engagement Program**

Public, Government & Aboriginal Affairs Speaker TBC

**10:15am – 10:30am**      **Refreshment Break**

**10:30am – 11:30am**      **McKenzie Valley Pipeline Case Study**

**Moderator: Merrill Shepard**, Donovan & Co, Vancouver

**The Formation of the Aboriginal Pipeline Group**

**Bob Reid**, President of Aboriginal Pipeline Group, Calgary

**Representing Aboriginal Land Owners Along the Route of the  
Mackenzie Gas Project**

**Rick Hardy**, Legal Counsel for Tulita District Land Corporation

**11:30am – 12:00pm**      **Overlapping Aboriginal Title Claims: The Australian Experience**

**Justice John Mansfield**, Federal Court of Australia, Chair of the Native Title  
Committee of Judges of the Court

**12:00pm – 12:15pm**      **Closing Comments by Conference Co-chairs**