

## JUDICIAL SETTLEMENT CONFERENCE GOING AHEAD

### ON AUGUST 17- 19, 2011

The Parties in the action Spookw v. Gitxsan Treaty Society, B.C. and Canada will appear before a Judge of the Supreme Court to have the Judge assist in finding ways to settle the dispute without continuing to trial which is scheduled for January 2012 in Smithers, B.C..

#### Events to date:

- The Judge asked the Plaintiffs and Defendants ( GTS, Canada and BC) to submit written briefs which outline the facts which caused legal action to start, as well as documents used as evidence, and explained the law being relied on. The purpose of the briefs is to provide the Judge with documents to review before the Settlement Conference to better understand the dispute.
- **July 22 2011** .- Lawyers for the Plaintiff Chiefs and Bands submitted a 100 page brief to the Judge explaining our evidence on oppression by GTS and its failure to comply with GTS bylaws. They also provided evidence and statements on why the Plaintiffs say the Governments have not acted honourably in their treaty negotiations with GTS.
- **July 22, 2011** . - the Gitxsan Treaty Society filed documents seeking to have the Court dismiss the Plaintiffs court action against GTS on the grounds that the Plaintiffs do not have "standing"; that is as the Plaintiffs are not members of GTS therefore have no right to ask for remedies such as shutting GTS down. The Plaintiffs will oppose this and expect to have this motion heard this fall.
- **August 5, 2011.** The Defendants submitted their Settlement Briefs to the Judge.
- **August 17, 2011:** The Judicial Settlement Conference will Begin at 10:00 am. All Gitxsan are welcome to attend to observe the judicial settlement conference on August 17<sup>th</sup> i. and on, August 19<sup>th</sup>. The Judge has ordered that only the Plaintiffs are to participate on the second day.

## **How you can become involved**

LEARN MORE ABOUT TREATY NEGOTIATIONS AND ABOUT THE GITXSAN ALTERNATIVE GOVERNANCE MODEL AND HOW THAT WILL AFFECT YOUR FAMILY AND FUTURE GENERATIONS. Information is available at Band Offices, at the Gitksan Government Commission Office and on Band and GGC's websites.

- **ATTEND COMMUNITY MEETINGS - LET YOUR VIEWS BE KNOWN**
- **SPEAK ABOUT THE ISSUE IN HOUSE MEETINGS - LET YOUR CHIEF KNOW YOUR VIEWS**
- **ATTEND THE SETTLEMENT CONFERENCE SHCEDUED FOR August 17-19, 2010; NOW IS THE TIME FOR YOU TO BE HEARD AND TO SPEAK FOR FUTURE GENERATIONS OF GITXSAN**

**SIGN THE PETITION OPPOSING THE ALTERNATIVE GOVERNANCE MODEL AND/OR SIGN THE DECLARATION OPPOSING TREATY NEGOTIATIONS.**  
(These forms may be found at your Band Administration office)

### **What happens after the Settlement Conference?**

If the parties are successful at resolving the dispute at the Judicial Settlement Conference the Parties will enter into an agreement and the case will not go to trial.

If the Parties are not successful at resolving the dispute at the Judicial Settlement Conference the case will proceed:

- The GTS motion saying that the Plaintiffs have no rights to stop GTS will go to Court in October 2011.
- The main trial with go ahead in January 2012.