



DEHCHO FIRST NATIONS
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Fall Leadership
Fort Simpson, NT
October 26-28th, 2004

Resolution # 2

**RE: To Conduct Without Prejudice
discussions**

Moved by:

President Marie Lafferty
Metis Local 52

Seconded by:

Chief Dennis Deneron
Sambaa K'e Dene Band

Passes Unanimously

Certified copy of
resolution made at Liidlii
Kue First Nation, October
28th, 2004

Herb Norwegian
Grand Chief

WHEREAS, the Dehcho First Nations served a Statement of Claim commencing an action in the Northwest Territories Supreme Court; and

WHEREAS, the DFN served a Notice of Application commencing a Federal Court judicial review application; and

WHEREAS, DFN wish to create a without prejudice environment in which to discuss issues between them, including the prospect of putting these cases into abeyance;

THEREFORE BE IT RESOLVED, that the Leadership authorizes and instructs the Grand Chief and the negotiating team to enter into without prejudice discussions with Canada; and

BE IT FURTHER RESOLVED, that all communications in these discussions made between any representatives of the Parties, in whatever media, shall be treated by the Parties as "without prejudice" and as confidential and privileged and exempt from disclosure of admission as evidence in the actions noted above, or in any other proceedings whatsoever, whether before a Court or an administrative Tribunal of any kind; and

BE IT FURTHER RESOLVED, that these discussions may include exploration of the prospect of an abeyance agreement, or such other measures as may be necessary and appropriate to bring an end to litigation.