



Mr. Jason Akearok
Executive Director
Nunavut Wildlife Management Board
Box 1379
Iqaluit, NU X0A0H0

February 16, 2015

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Dear Sir;

RE: NWMB Direction Southampton Island Caribou BNL Proceeding

I write in response to the February 10, 2015 letter from Chairperson Ben Kovic to Minister Mike, concerning the direction issued by Nunavut Wildlife Management Board (NWMB) on the Southampton Island Caribou BNL Proceeding. While the Government of Nunavut (GN) welcomes this Board's initiative there are some specific items set out in the Directive with which GN will be unable to comply.

The letter accompanying the Direction invited those parties affected by it to respond with any "substantial concerns" by February 16, 2015. This letter is the GN's response and request for some adjustment to the dates set out in the Direction. I emphasize that the GN's concerns relate to the dates for some items set out in the Direction, not the items themselves.

The GN suggests that it would be more efficient for the disclosure of documents to be completed before disclosure of witness statements takes place. As the Direction now stands, GN must disclose the key facts that its witnesses will provide by March 9, 2015. This is not possible for the reasons set out below. But it causes another problem as well. The date for NTI document disclosure is not until April 6, 2015. It is likely that GN witnesses may have some response to or comments about those documents. GN does not wish to face objections in a hearing because its witness statements did not include such comments in its evidence. The solution, in the GN's respectful submission, is to complete the document disclosure first and then complete the disclosure of witness statements. To do this requires adjustment to the dates in items #6, #8 and #9 in the Direction.

Notwithstanding the points made above, GN counsel is not able to meet the deadline set out in Direction item #8. At this point because of the departure of the GN staff counsel responsible for the file, GN is relying on outside counsel. Our outside counsel simply cannot meet that deadline because of other commitments including a commitment outside the country. In order for the GN to satisfy the Board's Direction on the date in item #8 an extension will be required.

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