

# IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation: *Kwicksutaineuk/Ah-Kwa-Mish First Nation v. British Columbia (Agriculture and Lands)*,  
2010 BCSC 1699

Date: 20101220  
Docket: S090848  
Registry: Vancouver

Between:

**Chief Robert Chamberlin, Chief of the Kwicksutaineuk/Ah-Kwa-Mish First Nation, on his own behalf and on behalf of all members of the Kwicksutaineuk/Ah-Kwa-Mish First Nation**

Plaintiff

And

**Her Majesty the Queen in Right of the Province of British Columbia as represented by the Minister of Agriculture and Lands and Attorney General of Canada**

Defendants

Before: The Honourable Mr. Justice Slade

## **Corrigendum to Reasons for Judgment** In Chambers

Counsel for the Plaintiff:

J.J. Camp, Q.C.  
R. Mogerman  
K. Robertson

Counsel for the Defendant,  
Province of British Columbia:

J. Sullivan  
S. Knowles  
J. Oliphant

Counsel for the Defendant,  
Attorney General of Canada:

H. Wruck, Q.C.  
S. Postman  
A. Semple

Place and Date of Hearing:

Vancouver, B.C.  
April 13-16 & 19-21, 2010

Further Written Submissions:

July 7 - 8, 2010  
November 18, 22-24, 2010

Place and Date of Judgment:

Vancouver, B.C.  
December 1, 2010

- [1] The reasons for judgment dated December 1, 2010 in these matters are hereby amended, as follows.
- [2] On the front page of the judgment, the style of cause is amended to include the Attorney General of Canada as a defendant.
- [3] On the front page of the judgment, counsel for the Attorney General of Canada are changed from T. Timberg and L. Lachance, to H. Wruck, Q.C., S. Postman, and A. Semple.
- [4] On the front page of the judgment, further written submissions dates are amended to include November 18, and 22-24, 2010
- [5] In paragraph 19 of the judgment, the reference to “fighting rights” is replaced by the phrase “fishing rights”.
- [6] In paragraph 22 of the judgment, the quotation from the Further Amended Statement of Claim is changed to read as follows:
- This is a proposed class action on behalf of all aboriginal collectives who have or assert constitutionally protected aboriginal and/or treaty rights to fish wild salmon for sustenance, food, social, and ceremonial purposes ("Fishing Rights") within the Broughton Archipelago ("Class-). ...
- [7] In paragraph 23 of the judgment, the quotation from the Amended Notice of Motion is changed to read as follows:
- The class be described as all aboriginal collectives who have or assert constitutionally protected aboriginal and/or treaty rights to fish wild salmon for sustenance, food, social, and ceremonial purposes within the Broughton Archipelago (the "Class Members") ....
- [8] In paragraph 27 of the judgment, the reference to the affidavit #1 of Lori Walker is amended to reflect that it was filed by Canada, not by the Province.
- [9] In paragraph 94 of the judgment, the reference to the affidavit of Chief John Smith is amended to reflect that it was filed by Canada, not by the Province.