

ARBITRATION PROCEDURAL TIMELINE

BETWEEN:

LAC STE. ANNE COUNTY

(the “County”)

- and -

THE TOWN OF MAYERTHORPE

(the “Town”)

WHEREAS the County and the Town have agreed to participate in a binding arbitration in accordance with Division 2 of the Municipal Government Act, RSA 2000, c M-26.

AND WHEREAS the County and the Town have agreed to conduct the Arbitration on the basis of the following procedure and timeline set out in the paragraphs below.

NOW THEREFORE the County and the Town Agree as follows:

1. Notwithstanding the procedure and timelines set out below, the Arbitrator shall be free to amend those timelines, if necessary and after consultation with the Parties.
2. The County and the Town shall exchange and deliver to the Arbitrator Statements of Issues by the close of business on July 20, 2021.
3. The County and the Town shall exchange and deliver to the Arbitrator Responses to the opposing Parties’ Statement of Issues by the close of business on July 30, 2021.
4. Each Party shall complete its production of all relevant documents and identify their respective representative to be questioned to the opposing Party by August 20, 2021.
5. The Parties shall exchange preliminary witness lists and preliminary will-say statements that outline the expected issues that each respective witness will testify to by close of business on August 20, 2021.
6. In the event of any dispute with respect the production of documents and/or the representative put forward by each Party, an Application shall be made to the Arbitrator on or before the close of business on August 27, 2021 and the Parties will hold September 9, 2021 available for the argument before the Arbitrator, if required.
7. The Parties shall exchange draft agreed statement of facts by September 15, 2021.

8. No witness may present independent expert opinion evidence with respect to any issue in dispute unless qualified by the Arbitrator and unless the substance of that witness's testimony with respect to that issue is set out in a report delivered to the other parties and to the Arbitrator by the close of business on October 1, 2021 or, in the case of a responding report, by the close of business on October 29, 2021.
9. Questioning of each Parties' representative shall be scheduled to be completed by October 8, 2021.
10. Any answers to undertakings arising out of Questioning shall be completed by October 15, 2021.
11. Any Applications arising from refusals shall be initiated by October 22, 2021, and the parties will hold **November 1**, 2021 available for the argument of any refusals or productions Applications, if required.
12. If the Parties are able to reach an agreement with respect to certain facts that are to be put before the Arbitrator, an agreed statement of facts will be delivered to the Arbitrator by October 31, 2021.
13. Any Party intending to call a witness at the Arbitration shall provide the other Party with a will-say statement with respect to each witness that will outline the evidence that the witness will testify by close of business on November 8, 2021.
14. The Parties shall exchange and deliver to the Arbitrator written submissions to the Arbitrator by November 15, 2021. The written submissions shall include a list setting out each Parties' witness.
15. If the Parties wish to submit written submission in reply to the opposing Party's written submissions, the reply submissions must be exchanged and delivered to the Arbitrator by November 22, 2021.
16. The Arbitration shall commence on November 29, 2021 for a period of five days (**November 29 to December 3, 2021**).
17. With leave of the Arbitrator and within 10 **calendar** days of the completion of the Arbitration hearing, the Parties may exchange and deliver supplementary written submissions to the Arbitrator.