

*Current
No change. Received
in 1992*

Oct 1986

IN THE MATTER OF: AN AGREEMENT DATED DECEMBER 16, 1977

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF
THE PROVINCE OF MANITOBA,

OF THE FIRST PART,

- and -

THE MANITOBA HYDRO-ELECTRIC BOARD,

OF THE SECOND PART,

- and -

THE NORTHERN FLOOD COMMITTEE, INC.,

OF THE THIRD PART,

- and -

HER MAJESTY THE QUEEN IN RIGHT OF
CANADA as represented by THE
MINISTER OF INDIAN AFFAIRS AND
NORTHERN DEVELOPMENT,

OF THE FOURTH PART.

MEMORANDUM OF UNDERSTANDING
RE RETAINING OF EXPERTS BY COUNSEL

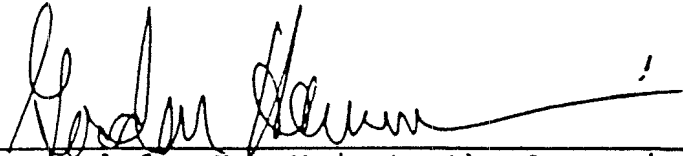
The Parties by their counsel agree that, in circumstances where there is an Order for Interim Costs and Expenses and counsel for the Northern Flood Committee desire to retain an expert to assist in preparing and advancing the Claim, it is intended that the procedure shall be:

- (1) Counsel for the N.F.C. will notify counsel for the other Respondents in the claim at issue in writing at the earliest possible time of their desire to retain an expert.
- (2) Counsel for the Respondents will notify counsel for the N.F.C. of their consent or of any objection to the retaining of such expert. /
- (3) In the event of an objection by any Respondent,
 - (a) the N.F.C. may apply to the Arbitrator (which may be expected to be the usual course), or
 - (b) any other of the Respondents may apply to the Arbitrator,to decide the reasonableness of retaining the expert.
- (4) In the event that an expert has been retained without consent and without an Order of the Arbitrator, the N.F.C. may expect that disbursements for the expert will not be paid on an interim basis until there is
 - (a) consent, or

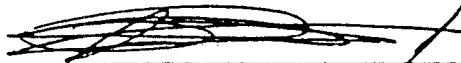
(b) an Order of the Arbitrator.

It is understood that the foregoing is without prejudice to the right of any party or parties to advance any argument as to the meaning of any provision of the Northern Flood Agreement, including Article 24.35.

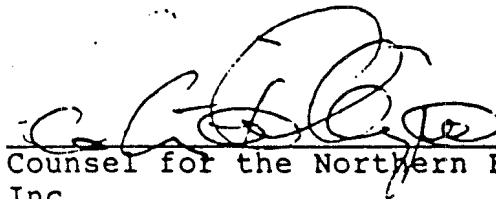
This Memorandum of Understanding agreed to by each of the parties this 14th day of October, 1986.



Counsel for Her Majesty the Queen in
right of the Province of Manitoba



Counsel for the Manitoba Hydro-Electric
Board



Counsel for the Northern Flood Committee,
Inc.



Counsel for Her Majesty The Queen in
Right of Canada as represented by the
Minister of Indian Affairs and Northern
Development