

June 28, 2006

Robert J. Janes
Cook Roberts Lawyers
Seventh Floor
1175 Douglas Street
Victoria, British Columbia
V8Q 2E1

Dear Mr. Janes,

Re: Ruling on the Motion by Dene Tha' First Nation to adjourn the Community Hearing scheduled for July 5, 2006

On June 22, 2006 the Dene Tha' First Nation (DTFN) filed a Motion with the Joint Review Panel (Panel) for the following Orders:

1. An Order that the Panel adjourn the Community Hearing scheduled to be held in High Level Alberta on July 5, 2006 until such time as Justice Phelan of the Federal Court, Trial Division, renders his decision in *Dene Tha' First Nation v. Minister of Environmental [sic] et al.* Court File No. T-867-05.
2. That the Panel re-schedule the High Level Alberta Community Hearing after Justice Phelan renders his decision, with adequate notice to the Proponent and interveners within the Panel Process of the date and time of such a hearing; and
3. An Order that the Motion be dealt with in writing.

On June 22, 2006 the Panel circulated the Motion to the Parties to the review being conducted by the Panel. A submission was received from Imperial Oil Resources Ventures Limited (IORVL) on June 26, 2005 and the DTFN filed a reply on June 27, 2006. The Panel has considered the original Motion, the response and the reply in reaching its determination.

The Panel is of the view that the matters under consideration by the Federal Court of Canada in the action referred to in paragraph 1 above, including matters such as interim remedies, are beyond the jurisdiction of the Panel and are to be resolved by the court.

The Panel denies the Motion.

Sincerely,



Robert Hornal
Joint Review Panel Chair