

**IN THE MATTER OF AN ARBITRATION UNDER CHAPTER 11 OF  
THE NORTH AMERICAN FREE TRADE AGREEMENT  
AND THE UNCITRAL ARBITRATION RULES**

**BETWEEN:**

**WILLIAM RALPH CLAYTON, WILLIAM RICHARD CLAYTON, DOUGLAS CLAYTON,  
DANIEL CLAYTON and BILCON OF DELAWARE**

**Investors**

-and -

**GOVERNMENT OF CANADA**

**Respondent**

**CONCORDANCE TO THE EXHIBITS  
IN THE REPORT OF DAVID ESTRIN, JULY 8, 2011**

<b>Investors' Binder #</b>	<b>Exhibit #</b>	<b>DocTab</b>	<b>Doc Bates</b>	<b>Doc Date</b>	<b>Document Description</b>
<b>A</b>				<b>July 8, 2011</b>	<b>Expert Report of David Estrin, Certified Environmental Law Specialist</b>
2	C 34	106	00114	October 23, 2007	Joint Review Panel Report, dated October 23, 2007
2	C 40	CP00311	Page-001223- Page-001223	April 24, 2002	E-mail from Brian Jollymore, (DFO) to Bob Petrie, (NSDEL), dated April 24, 2002
2	C 42	CP00310	Page-001222- Page-001222	April 26, 2002	E-mail from Brian Jollymore, (DFO) to Bob Petrie, (NSDEL), dated April 26, 2002
2	C 46	CP06193	Page-018292- Page-018292	January 16, 2003	E-mail Lorelei Langille, (DFO) to Charlet Myra, (NWPA), dated January 16, 2003 E-mail from Reg Sweeney (DFO) to Jim Ros (DFO) and Thomas Wheaton (DFO), December 3, 2002
4	C 154	148	00155	June 16, 2007	Transcript Volume 1- Joint Review Panel Public Hearing, Whites Point Quarry and Marine Terminal Project
6	C 168	1019	006399- 006473	March, 2005	Environmental Impact Statement Guidelines for the Review of the Whites Point Quarry & Marine Terminal, dated March, 2005
6	C 191	CP27224	Page-701801- Page-701830	November 17, 2003	Victor Diamond Project De Beers Canada Mining Inc., Draft Guidelines Comprehensive Study, dated November 17, 2003
7	C 205	259	00270-00272	December 13, 2007	Order in Council, dated December 13, 2007
7	C 255			00/00/1992	<i>Canadian Environmental Assessment Act</i> , S.C. 1992, c.37.
7	C 257			00/00/1867	<i>Constitution Act</i> , 1867, Section 91(2).
7	C 258			00/00/1998	<i>Nova Scotia Environment Act</i> , 1998
7	C 259			October 30, 2003	<i>Bill C 9</i> - amend the Canadian Environmental Assessment Act, S.C. 2003, c. 9, in force October 30, 2003.
7	C 260			March 5, 2008	<i>Pembina Institute for Appropriate Development v. Canada (Attorney General)</i> , 2008 FC 302, (Trial Division), March 5, 2008
7	C 261			00/00/1999	<i>Alberta Wilderness Association. v. Canada (Minister of Fisheries and Oceans)</i> , [1999] 1 F.C. 483
7	C 262			October/00/1998	<i>Operational Policy Statement</i> , October 1998, OPS-EPO/2-1998
7	C 265			May 17, 2011	<i>Comprehensive Study List Regulations</i> , SOR/94-638, May 17, 2011
7	C 266			00/00/1985	<i>Federal Courts Act</i> 1985 c f-7
7	C 267			00/00/2001	<i>114957 Canada Ltee (Spraytech, Societe d'arrosage) v. Hudson (Town)</i> , [2001] 2 S.C.R. 241
7	C 268			June 12, 1998	<i>Alberta Wilderness Assn. v. Canada (Minister of Fisheries and Oceans)</i> , [1998] F.C.J. No. 821
7	C 269			January 10, 2001	<i>Bow Valley Naturalists Society v. Canada (Minister of Canadian Heritage)</i> , [2001] 2 F.C. 461
7	C 270			April 30, 2003	<i>Canadian Parks and Wilderness Society v Canada (Minister of Canadian Heritage)</i> , 2003 FCA 197, [2003] F.C.J. No. 703

Investors' Binder #	Exhibit #	DocTab	Doc Bates	Doc Date	Document Description
7	C 271			January 18, 1991	<i>Cantwell v. Canada (Minister of the Environment) et al.</i> (1991), 6 C.E.L.R. (N.S.) 16; 41 F.T.R. 18 (F.C.T.D.); affd A-124-91, Pratte J.A., judgment dated 6/6/91, F.C.A.
7	C 272			August 7, 1997	<i>Community Before Cars Coalition v. National Capital Commission</i> , [1997] F.C.J. No. 1060, 135 F.T.R. 1.
7	C 273			June 20, 2001	<i>Inverhuron &amp; District Ratepayers' Association v. The Ministry of the Environment, The Minister of Fisheries and Oceans and The Atomic Energy Control Board and Ontario Power Generation Incorporated</i> , 2001 FCA 203
7	C 274			November 17, 1989	<i>Environmental Assessment Board, Reasons for Decision and Decision, In The Matter Of an Application by the North Simcoe Waste Management Association Landfill Application Re Lieutenant-General-In-Council</i> , November 17, 1989
7	C 275			August 27, 2005	<i>Pembina Institute for Appropriate Development, et al v. Canada (Minister of Fisheries and Oceans), et al</i> , 2005 FC 1123
7	C 276			November 10, 1994	<i>Pippy Park Conservation Society, Inc. v. Canada (Minister of Environment)</i> , [1994] F.C.J. No. 1662, 86 F.T.R. 255.
7	C 277			February 23, 2001	<i>Schwarz Hospitality Group Ltd. v. Canada (Minister of Canadian Heritage)</i> , 2001 FCT 112,
7	C 278			September 23, 1998	<i>Stratégies St-Laurent v. Canada (Minister of the Environment)</i> , [1998] F.C.J. No. 1349, 156 F.T.R. 273.
7	C 279			March 31, 2003	<i>Thompson v. Ontario (Labour Relations Board)</i> , [2003] O.J. No. 1347
7	C 280			October 29, 1996	<i>Union of Nova Scotia Indians v. Canada (Attorney General)</i> , [1997] 1 F.C. 325
8	C 281			April 14, 1992	<i>Vancouver Island Peace Society v. Canada</i> , [1992] F.C.J. No.324, [1992] 3 F.C. 42, 53 F.T.R. 300.
8	C 282			October 10, 2000	<i>VIA Rail Canada Inc. v. National Transportation Agency (C.A.)</i> , [2001] F.C.J. No. 1685, October 10, 2000
8	C 287	CP00629	Page-001990-Page-002027	June 20, 1905	<i>Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters'</i> , D.G. Wright (DFO), dated June 20, 1905
8	C 290	622	02627	June 29, 2007	Reponse to Undertaking #32 - Quantities of explosives -To clarify the amount of explosive to be used per blast, the amount of explosive to be used per tonne of rock blasted, and the total amount of explosive to be used in a two week period. To identify the number of holes that will be required per blast and the charge per hole. Only metric units are to be used.
8	C 291	621	02626	June 29, 2007	Response to Undertaking #32(A) - To clarify the amount of explosive to be used per blast, the amount of explosive to be used per tonne of rock blasted, and the total amount of explosive to be used in a two week period. To identify the number of holes that will be required per blast and the charge per hole. Only metric units are to be used.
8	C 292	CP05062	Page-015568-Page-015569	May 13, 2004	Letter from Ashraf Mahtab, (Partnership for the Sustainable Development of Digby Neck & Islands Society) to Minister Kerry Morash, (NSDEL), dated May 13, 2004
8	C 293	CP25419	Page-694466-Page-694468	June 30, 2007	Undertaking #29, To provide, following collaboration with Environment Canada, an assessment of the ecological risks associated with ammonia residuals resulting from blasting and episodic and controlled releases from the project's settling ponds, dated June 30, 2007
8	C 294	CP00033	Page-000829-Page-000829	April 30, 2007	Letter from Bob Petrie, (NSDEL) to Paul Buxton, dated April 30, 2002
8	C 295	CP00664	Page-002091-Page-002091	November 6, 2002	E-mail from Robert Balcolm (NSDEL) to Jacqueline Cook (NSDEL), dated November 6, 2002

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8	C 296	CP00144	Page-001021-Page-001022	October 30, 2002	Letter from Minister Robert Thibault (DFO) to Ms. L. M.-A. Hubbert, Canada Research Chairs Program, dated October 30, 2002
8	C 298	422	00976 & 01462-1464	September 17, 2002	Letter from Paul Buxton, Global Quarry Products to Bob Petrie, (NSDEL), dated September 17, 2002
8	C 299	CP02863	Page 005552-Page-005553	September 30, 2002	Email from Dennis Wright (DFO) to Jim Ross, (DFO), dated September 30, 2002
8	C 304	472(A)	01123-01128	September 3, 2003	Memo from Paul Buxton to Bill Clayton, Jr., Mark Lowe, John Wall, dated September 3, 2003
9	C 363	2489	009503-009511	November 3, 2004	Agreement concerning the Establishment of a Joint Review Panel for the Whites Point Quarry and Marine Terminal Project between the Minister of the Environment, Canada and The Minister of Environment and Labour, Nova Scotia, dated November 3, 2004
9	C 364	CP17967	Page-053999-Page-054009	January 1, 2001	<i>Internal Stratigraphy of the Jurassic North Mountain Basalt, Southern Nova Scotia</i> , Dan J. Kontak, January 1, 2001
9	C 370		801619	00/00/2007	Journal – Bruce Hood, Fall 2007 (Redacted)
9	C 371	3886	020534-020667	February/00/1999	Operational Policy Statement on Addressing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, dated February 1999
9	C 377	CP27236	Page-701880-Page-701881	August 18, 2005	Comprehensive Study Report (CSR): Victor Diamond Project
10	C 385	174	00183	July 9, 2004	CEAA "Reference Guide: Addressing Cumulative Environmental Effects under the <i>Canadian Environmental Assessment Act</i> ", updated July 9, 2004
10	C 417	620	02614-02625	June 29, 2007	Response to Undertaking #31 - Marine and Diadromous Fish - Species Listed on Schedule 1 - official list of wildlife species at risk in Canada Response to Undertaking #31 - To provide a listing of the SARA protected species, the potential effects on each, whether or not effects are likely, adverse, mitigable, and whether or not a SARA permit will be required.
11	C 439	CP06671	Page-020298-Page-020298	June 9, 1998	E-mail Annette Power (DFO) to Michelle Gosse (DFO), dated June 9, 1998
11	C 440	CP06655		July 8, 1999	Aguathuna Quarry Development, Environmental Impact Comprehensive Study Report, dated July 8, 1999
11	C 453			April 8, 1999	Alberta Wilderness Assn. v. Cardinal River Coals Ltd., [1999] 3 F.C. 425
11	C 454	CP07751	Page-025381-Page-025382	May 5, 2006	E-mail Barry Jeffrey (CEAA) to Stephen Zwicker (Environmental Protection), May 5, 2006
11	C 455	CP06520	Page-019171-Page-019180	January 27, 2003	Federal Coordination Regulation Information
11	C 456	CP04773	Page 014327	January 6, 2003	Notes of Derek McDonald at p. 014327, dated January 6, 2003
11	C 457	CP06305	Page-018639-Page018639	June 20, 2003	Fax cover sheet from Susan Kirby, (Assistant Deputy Minister, DFO) to Minister Robert Thibault, June 20, 2003
11	C 458	CP05173	Page-015801-Page-015801	June 25, 2003	E-mail from Bruce Hood (DFO) to Richard Wex (DFO) and Richard Nadeau (DFO), June 25, 2003
11	C 459	CP05180	Page-015816-Page-015816	June 25, 2003	E-mail from Richard Nadeau (DFO) to Kay Love (DFO), June 25, 2003
11	C 460	CP06311	Page-018655-Page018655	April 2, 2003	E-mail from Bruce Hood (DFO) to Phil Zamora (DFO), April 2, 2003
11	C 461	CP05113	Page-015696-Page-015696	April 3, 2003	E-mail from Bruce Hood (DFO) to Phil Zamora (DFO), April 3, 2003
11	C 462	CP05089	Page-015654-Page-015654	April 16, 2003	Briefing Note for the Deputy Minister of Fisheries from Susan Kirby (DFO), April 16, 2003
11	C 463	CP05114	Page-015697-Page-015698	April 2, 2002	E-mail Joy Dube (DFO) to Wendy Morrell, April 2, 2003

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11	C 464	CP06302	Page-018633- Page018635	00/00/2003	Peter Harrison, Deputy Minister, Memorandum for the Minister re Proposed Rock Quarry and Shipping Terminal, White Cove, Digby County, Nova Scotia, 2003
11	C 465	CP03408	Page-009699- Page-009699	March 3, 2003	E-mail from Tim Surette to DFO Officials, March 3, 2003
11	C 466	467	01115-01116	June 26, 2003	Letter from Robert G. Thibault, Minister of Fisheries and Oceans to The Honourable David Anderson, Minister of the Environment, June 26, 2003
11	C 467	CP00038	Page-000849- Page-000852	April 23, 2002	Nova Scotia Department of Environment, Application for Approval, April 23, 2002
11	C 468	CP00013.0 16	Page-000679- Page-000682	March 21, 2002	Report, Application for Approval File No. 92100-30, Application No. 2002-025483, prepared by Robert Balcom
11	C 469	CP00013.0 30	Page 00719	April 11, 2002	Briefing Note by Brad Langille (NSDEL), April 11, 2002
11	C 470	585	002063- 002073	April 30, 2002	NSDEL, Approval No. 2002-026397, April 30, 2002
11	C 471	CP00318	Page-001230- Page-001231	July 29, 2003	Environment and Labour, Briefing Note, Advice to Minister, Nova Stone Exporters Inc., Quarry Approval Whites Cove, Digby County, dated July 29, 2003
11	C 472	414	00941-00947	January 25, 2002	Fax from Danette Daveau, (NSDEL) to Southern Stone and Mark Lowe re Terms and Conditions, dated January 25, 2002
11	C 473	CP01634	Page-003467- Page-003468	July 29, 2003	NSDEL Draft Briefing Note to Minister of the Environment, dated July 29, 2003
11	C 474	CP00642	Page-002058- Page-002058	June 4, 2003	Letter from Minister Ronald Russell (NSDEL) to Minister Gordon Balser, dated June 4, 2003
11	C 475	CP43732	Page-785886- Page-785886	December 16, 2003	E-mail from Phil Zamora (DFO) to Bruce Hood (DFO), et al., dated December 16, 2003
11	C 476	422	00976 & 01462-1464	September 17, 2002	Letter from Paul Buxton to Bob Petrie, (NSDEL), September 17, 2002
11	C 477	CP02845	Page-005479- Page-005479	September 18, 2002	Letter from Thomas Wheaton (DFO) to NSDEL, September 18, 2002
11	C 478	CP00675	Page-002106- Page-002106	September 30, 2002	Letter from Jim Ross (Section Head, DFO Habitat Management Division), to Bob Petrie (NSDEL), dated September 30, 2002
11	C 479	CP42036	Page-779495- Page-779495	October 8, 2002	Letter from Paul Buxton to Bob Petrie, (NSDEL), October 8, 2002
11	C 480	633	02697-02709	November 20, 2002	Letter from Paul Buxton to Robert Petrie, (NSDEL), November 20, 2002
11	C 481	803	003561- 003567	January 28, 2003	Letter from Paul Buxton to Bob Petrie, (NSDEL), January 28, 2003
11	C 482	585	002187	November 20, 2002	Letter from Paul Buxton to Robert Petrie (NSDEL), cc. Jim Ross (DFO), November 20, 2002
11	C 483	CP24417	Page-690243- Page-690243	March 27, 2003	Letter from Phil Zamora (DF) to Paul Buxton, March 27, 2003
11	C 484	CP02309	Page-004641- Page-004641	December 5, 2002	E-mail from Gerard MacLellan to Ronald L'Esperance
11	C 485	CP33956	Page-738367- Page-738368	May 29, 2003	Letter from Phil Zamora (DFO) to Paul Buxton, Global Quarry Products, May 29, 2003
11	C 486	CP00645	Page-002061- Page-002062	June 25, 2003	Letter from Paul Buxton, Nova Stone Exporters Inc. to Bob Petrie (NSDEL), June 25, 2003
11	C 487	CP02270	Page-004592- Page-004592	00/00/0000	E-mail from Ronald L'Esperance (NSDEL) to Gerard MacLellan (NSDEL), undated
11	C 488	CP33308	Page-737048- Page-737049	April 20, 2003	Letter from Paul Buxton to Derek McDonald (CEAA), April 20, 2003
11	C 489	469	01118-01119	July 23, 2003	Letter from Bob Petrie, (NSDEL) to Paul Buxton, Nova Stone Exporters Inc., July 23, 2003

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11	C 490	CP04504	Page-013421- Page-013421	September 17, 2003	Letter from Phil Zamora (DFO) to Steve Chapman (CEAA), Septembe 17, 2003
11	C 491	485	01152	August 23, 2004	Letter from Paul Buxton, Bilcon of Nova Scotia to Bob Petrie, (NSDEL), August 23, 2004
11	C 492	487	01153-01154	October 26, 2004	Letter from Bob Petrie, (NSDEL) to Paul Buxton, Bilcon of Nova Scotia, October 26, 2004
11	C 493	492	01170-01171	November 10, 2004	Letter from Phil Zamora, (DF) to Paul Buxton, Bilcon of Nova Scotia, November 10, 2004
11	C 494	235	00244	Januayr 8, 2003	Letter from Paul Buxton to Coast Guard, January 8, 2003 and Global Quarry Products, Navigable Waters Protection Application dated December 1, 2002
11	C 495	796	003541	January 28, 2003	Letter from Paul Buxton to Charlet Myra, (NWPA), January 28, 2003
11	C 496	789	003528	February 6, 2003	Letter from Paul Buxton to Charlet Myra, (NWPA), February 6, 2003
11	C 497	399	00890-00898	January 28, 2003	Letter from Paul Buxton, Global Quarry Products to Derek McDonald, (CEAA), January 28, 2003
11	C 498	CP00430	Page-001411- Page-001412	February 14, 2003	Letter from Thomas J. Wheaton (DF) to Derek McDonald (CEAA), dated February 14, 2003
11	C 499	434	01033-01051	March 10, 2003	Letter from Paul Buxton, Global Quarry Products to Derek McDonald (CEAA), and Global Quarry Project- Project Description of Whites Point Quarry & Marine Terminal, March 10, 2003
11	C 500	CP05251	Page-016170- Page-016172	Undated	Letter from Phil Zamora (DFO), Undated
11	C 501	CP02997	Page-007432- Page-007433	March 31, 2003	Draft Highlights and Action Items, Whites Point Inter-Agency EA Meeting, March 31, 2003
11	C 502	CP05419	Page 017038	March 31, 2003	Notes from Derek McDonald (CEAA) of Federal-Provincial meeting
11	C 503	CP03310	Page-009526- Page-009526	March 27, 2003	Letter from Phil Zamora, (DFO) to Charlet Myra, (NWPA), March 27, 2003
11	C 504	CP00399	Page-001348- Page-001351	April 14, 2003	Letter from Phil Zamora (DFO) to Paul Buxton, Global Quarry Products, April 14, 2003
11	C 505	CP04790	Page-014465- Page-014465	April 24, 2003	E-mail from Derek McDonald (CEAA) to Carole Giroux, (CEAA), April 24, 2003
11	C 506	CP04085	Page-011745- Page-011746	April 3, 2003	E-mail Derek McDonald (CEAA) to Phil Zamora (DFO), April 3, 2003
11	C 507	CP05242	Page-016154- Page-016154	April 8, 2003	E-mail from Phil Zamora (DFO) to Ted Currie, April 8, 2003
11	C 508	CP04079	Page-011727- Page-011727	April 28, 2003	Email Derek McDonald (CEAA) to Robert Deslauriers (CEAA), April 28, 2003
11	C 509	CP05115	Page-015699- Page-015701	00/00/0000	Memorandum for the Assistant Deputy Minister, Oceans, undated
11	C 510	CP06301	Page-018630- Page-018632	June 20, 2003	Peter Harrison, Deputy Minister, Memorandum for the Minister Thibault, June 20, 2003
11	C 511	CP01295	Page-002897- Page-002897	00/00/0000	The Digby Courier, 'Thibault rejects proposed quarry, Community's Social Values Threatened, by Robert Thibault', Undated
11	C 512	CP05079	Page-015627- Page-015627	February 20, 2003	E-mail from Paul Boudreau (DFO) to Phil Zamora (DFO), dated February 20, 2003
11	C 513	CP01878	Page-004035- Page-004035	May 26, 2003	E-mail from Bob Langdon (NSDEL) to Ronald L'Esperance, (NSDEL), dated May 26, 2003
11	C 514	CP01877	Page-004034- Page-004034	May 27, 2003	Email from Ronald L'Esperance (NSDEL) to Lynda Baiden, (NSDEL), dated May 27, 2003
11	C 515	CP05381	Page-016915- Page-016915	May 28, 2003	E-mail from Ronald L'Esperance (NSDEL) to Bob Langdon (NSDEL), dated May 28, 2003

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11	C 516	CP03955	Page-011417- Page-011420	June 16, 2003	E-mail from Chris Daly (NSDEL) to Derek McDonald and Steve Chapman (CEAA), June 16, 2003, at page 011418
11	C 517	CP04070	Page-011703- Page-011706	June 17, 2003	E-mail Chris Daly (NSDEL) to Derek McDonald (CEAA), Paul Boudreau (DFO), dated June 17, 2003, at page 011703
11	C 518	CP05380	Page-016914- Page-016914	June 2, 2003	Email from Chris Daly (NSDEL) to Bob Langdon (NSDEL), dated June 2, 2003
11	C 519	CP04479	Page-013357- Page-013358	June 4, 2003	Letter from Paul Boudreau (DFO) to Chris Daly (NSDEL), June 4, 2003, at page 013357
11	C 520	CP03956	Page-011421- Page-011421	June 9, 2003	E-mail Derek McDonald (CEAA) to Steve Chapman (CEAA), dated June 9, 2003
11	C 521	CP31308	Page-713765- Page-713766	June 11, 2003	E-mail from Steve Chapman (CEAA) to Derek McDonlad (CEAA), dated June 11, 2002, at page 713765
11	C 522	CP00389	Page-001332- Page-001333	June 20, 2003	Letter from Paul Boudreau (DFO) to Chris Daly (NSDEL), dated June 20, 2003, at page 001332,
11	C 523	CP00390	Page-001334- Page-001334	June 20, 2003	Letter from Chris Daly (NSDEL) to Mr. Bourdreau (DFO), dated June 20, 2003 at page 001334
11	C 524	CP03987	Page-011472- Page-011473	June 20, 2003	E-mail Richard Nadreau (DFO) to Chris Daly (NSDEL), Bruce Hood (DFO), Paul Boudreau (DFO), dated June 20, 2003, at page 011472
11	C 525	CP04463 CP04464	Page-013317- Page-013317 Page-013318- Page-013319	June 20, 2003	E-mail Bruce Hood (DFO) to Steve Chapman (CEAA), dated June 20, 2003, attaching draft Letter from Robert G. Thibault to David Anderson (Minister of the Environment).
11	C 526	CP05182	Page-015819- Page-015819	June 27, 2003	Email from Bruce Hood (DFO) to Anne Henhoeffler, Paul Boudreau, Carl Myers, dated June 27, 2003
11	C 527	CP06298	Page-018625- Page018625	August 7, 2003	Letter from David Anderson, Minister of Environment to L'honorable Robert G. Thibault, dated August 7, 2003
11	C 528	CP06299	Page-018626- Page018628	July 18, 2003	Memorandum from Sid Gershberg (CEAA) to Minister Anderson, dated July 18, 2003
11	C 529	CP27276	Page-702085- Page-702085	September 10, 2003	Letter from Steven Chapman (CEAA) to Paul Buxton, Global Quarry Products Inc., dated September 10, 2003
12	C 530			May/00/2007	Joint Review Panel Report Rabaska Project: Implementation of an LNG Terminal and Related Infrastructure, May 2007
12	C 531	CP11513	Page-035952- Page-035954	December 22, 2004	E-mail Derek McDonald (CEAA) to Allison Denning, and others, dated December 22, 2004
12	C 532	CP12861	Page-039833- Page-039834	January 11, 2008	Email Steve Chapman to Danielle Balfour (CEAA), dated January 11, 2008
12	C 533	CP05024	Page-015398- Page-015422	November 15, 2004	CEAA Presentation to the Joint Review Panel for the Whites Point Quarry and Marine Terminal Project, dated November 15, 2004
12	C 534			July/00/2006	Joint Review Panel Environmental Assessment Report: Sydney Tar Ponds and Coke Oven Sites Remediation Project , July 2006
12	C 535	CP30264	Page-710783- Page-710783	October 29, 2007	Letter from Carlos Johanson, Seabulk Systems Inc., to Minister Baird, Environment Canada, and Minister Parent, NSDEL, dated October 29, 2007
12	C 536	CP12160	Page-037333- Page-037336	November 16, 2007	Letter Paul Buxton, Bilcon of Nova Scotia to Minister Parent, Novembe 16, 2007
12	C 537	CP04914	Page-015017- Page-015026	July, 2003	Curriculum Vitae of Robert O. Fournier, July 2003, at page 015022
12	C 538	CP04915	Page-015027- Page-015036	July, 2004	Curriculum Vitae of Gunter K. Muecke, July 2004, at page 015030
12	C 539	CP13155	Page-040585- Page-040585	November 7, 2007	E-mail Doreen Freeman to Bruce Young (CEAA), November 7, 2007
12	C 540	CP13157	Page-040587- Page-040587	October 29, 2007	Letter from Carl Johansen, Seabulk Systems Inc., to Minister Baird (Environment Canada) and Minister Parent (NSDEL), dated October 29, 2007

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12	C 541	CP30613	Page-711181- Page-711182	November 20, 2007	Letter from Minister Mark Parent to Paul Buxton, Bilcon of Nova Scotia, November 20, 2007
12	C 542	CP12158	Page-037330- Page-037330	October 29, 2007	Letter from Paul Buxton, Bilcon of Nova Scotia to Minister Mark Parent , October 29, 2007
12	C 543	CP12159	Page-037331- Page-037332	November 8, 2007	Letter from Paul Buxton, Bilcon of Nova Scotia to Minister Mark Parent, November 8, 2007
12	C 544	CP10644	Page-033539- Page-033540	November 21, 2007	Letter Paul Buxton, Bilcon of Nova Scotia to Minister John Baird, Minister of the Environment
12	C 545			00/00/1985	Fisheries Act, R.S.C., 1985, c. F-14
12	C 546			October 1, 2007	Federal Decision, October 1, 2007.
12	C 547			July 14, 2005	Canadian Nuclear Safety Commission, "Record of Proceedings, Including Reasons for Decision in the Matter of Bruce Power, Environmental Assessment Guidelines for the Proposed Refurbishment for Life Extension and Continued Operation of the Bruce A Nuclear Generating Station" , July 14, 2005,
12	C 548				Environmental Assessment Act Newfoundland, 2000
12	C 549	559	01326-01359	July 28, 2006	Letter from Robert Fournier (Chair, JRP), to Paul Buxton, Bilcon of Nova Scotia, dated July 28, 2006 with attached EIS Information Request, dated July 28, 2006; Appendix I - Projected Component/Environmental Component Matrix; AMEC Earth & Environmental Limited Comprehensive Study Report, dated July 10, 2002
12	C 550	168	00175	June 30, 2007	List of Undertakings, Public Hearings of June 16 to June 30, 2007
12	C 551			00/00/1985	Atlantic Canada Opportunities Agency Act (R.S.C., 1985, c. 41 (4th Supp.)).
12	C 552			October 15, 2006	Continental Stone Limited - Team Canada Atlantic, October 15, 2006
12	C 553				Environmental Assessment Regulation, N.S. Reg. 26/95, Schedule "A", Class I, category B. s.2(1)
12	C 554	CP04492	Page-013401- Page-013401	April 2, 2003	E-mail from Derek McDonald (CEAA) to Steve Chapman (CEAA) , dated April 2, 2003
12	C 558			00/00/2010	CEAA "Proposed amendments to the Comprehensive Study List Regulations under the Canadian Environmental Assessment Act related to ski area developments in national parks" (2010)
12	C 559	CP42126	Page-779732- Page-779732	00/00/0000	Letter from Thomas Whaton (DFO to Bob Petrie (NSDEL), undated
12	C 560	585	02057-02254	October 9, 2003	Letter from Paul Buxton to Minister Kerry Morash, October 9, 2003
12	C 561			January 31, 2011	Letter from William A. Coulter (CEAA) to David Schulze and Dionne Schulze, January 31, 2011
12	C 562	CP04074	Page-011713- Page-011714	June 10, 2003	E-mail Derek McDonald (CEAA) to Steve Chapman (CEAA), dated June 10, 2003
12	C 563	CP04337	Page-012944- Page-012944	July 11, 2003	E-mail Bruce Young (CEAA) to Cheryl L. Benjamin (CEAA), Chris Daly (NSDEL), dated July 11, 2003
12	C 564			November/00/2006	Cacouna Energy, LNG Terminal Project, November, 2006
12	C 565			July/00/2010	D.J.M. Brown and Evans, Judicial Review of Administrative Action in Canada, July, 2010, pp. 10-101
13	C 566			June 20, 2001	<i>Inverhuron &amp; District Ratepayers' Association and The Minister of the Environment, the Minister of Fisheries and Oceans and the Atomic Energy Control Board and Ontario Power Generation Incorporated</i> , 2001 FCA 203, June 20, 2011

Investors' Binder #	Exhibit #	DocTab	Doc Bates	Doc Date	Document Description
13	C 567			September 17, 2007	Kemess North Mine Joint Review Panel Report, September 17, 2007
13	C 568			October /00/1997	The Joint Public Review Panel Report: Sable Gas Projects (October 1997)
13	C 569			August 29, 2005	Environmental Assessment Approval, Sovereign Resources Quarry Expansion, August 29, 2005
13	C 570			February 21, 2007	Report and recommendations to the Nova Scotia Minister of Environment and Labour, Nova Scotia Environmental Assessment Board full review of the Keltic Petrochemical's Inc. proposed LNG and Petrochemical plant facilities, Goldboro, Nova Scotia, Environmental Impact Assessment, Final Report, February 21, 2007
13	C 571			00/00/2009	Canadian Environmental Assessment Agency, Operational Policy Statement, "Adaptive Management Measures under the Canadian Environmental Assessment Act, 2009" (Ottawa: Her Majesty the Queen in Right of Canada, 2009)
13	C 572	94(A)		February 12, 2007	Vol. 2, Section 3.6 of Bilcon's response documents.
13	C 573	98	000091	February 12, 2007	Bilcon's Responses to Comments on the EIS - Vol IV. Comments on the EIS-Whites Point Quarry and Marine Terminal Project, Environmental Impact Statement, 10.0,Cumulative Effects, dated February 12, 2007
13	C 574	609	002364-002365	June 27, 2007	Curriculum Vitae of John T. Melick, Hugh R. Fraser, response to Undertaking #6
13	C 575	605	02332-02334	June 27, 2007	Updated version of EIS, Volume 3, Map 2 showing the revised 800m setback location, and updated version of EIS Volume 3 Map, 2A Quarry Property Ownership. - Undertaking #2 - To provide an updated versions of EIS, Volume 3, Map 3, showing the revised 800m setback location. To provide an updated version of EIS, Volume 3, Map 2A Quarry Property Ownership
13	C 576			July 2, 2010	Report of the Federal Review Panel, Prosperity Gold-Copper Mine Project, Taseko Mines Ltd. British Columbia,
13	C 577			00/00/1989	Jill Grant, " <i>From Human Values to Human Resources; Planners' Perceptions of Public Role and Public Interest</i> ", <i>Plan Canada</i> 29(6): 11-18 (1989)
13	C 578			December 4, 1998	Alberta Wilderness Assn. v. Canada (Minister of Fisheries and Oceans [1998] F.C.J. No. 1746
13	C 579			November/0/1997	Procedures for an Assessment by a Review Panel, A guideline issued by the Honourable Christine S. Stewart, Minister of the Environment pursuant to s. 58(1)(a) of the Canadian Environmental Assessment Act
13	C 580	CP24308	Page-689973-Page-689974	February 17, 2003	Memorandum from Melinda Donovan (NWP) to Paul Boudreau , Habitat, Management Division, Oceans Sector, dated February 17, 2003
14	C 598			October/00/2002	"Operational Policy Statement : Follow-up Programs", under the <i>Canadian Environmental Assessment Act</i> ", October, 2002, updated November, 2007