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CT-2016-015 (Vancouver Airport Authority)

Proceeding 1

The Commissioner of Competition v. Vancouver Airport Authority

Section(s):	79 - Abuse of dominant position
Filed on:	2016-09-29
Status:	Decided - 2019-10-17

Applicant(s):	The Commissioner of Competition
Respondent(s):	Vancouver Airport Authority

Hearing Date:	October 2, 3, 4, 5, 9, 10, 15, 16, 17, 30, 2018 November 1, 2, 13, 14, 15, 2018 August 12, 13, 14, 2019
Hearing Location:	Ottawa and Vancouver
Panel Members:	Crampton C.J. Gascon J. Dr. Donald McFetridge

Case Documents

Pleading(s)		
#	Title	Date
2	Notice of Application	2016-09-29
10	Response	2016-11-14
14	Reply	2016-11-28
42	Response to Respondent's motion	2017-03-07
49	Memorandum of fact and law on behalf of the Commissioner of Competition	2017-03-17
51	Memorandum of fact and law on behalf of Vancouver Airport Authority	2017-03-17
59	Updated memorandum of fact and law on behalf of Vancouver Airport Authority	2017-03-21
60	Supplemental memorandum of fact and law on behalf of the Applicant	2017-03-27
61	Supplemental submissions on behalf of the Respondent	2017-03-27
84	Commissioner of Competition's response to Respondent's notice of motion	2017-05-15
85	Commissioner's memorandum of fact and law regarding the Vancouver Airport Authority's motion challenging the adequacy and accuracy of summaries	2017-05-24
87	Memorandum of fact and law of the Vancouver Airport Authority regarding the motion challenging adequacy and accuracy of summaries	2017-05-24
93	Memorandum of fact and law of the Respondent	2017-06-06
104	Memorandum of fact and law re: motion challenging the adequacy and accuracy of summaries	2017-06-22
107	Memorandum of fact and law (Supplementary motion record) of the Applicant re: motion challenging the adequacy and accuracy of summaries	2017-06-23

109	Affidavit of Ryan Cookson re: motion challenging the adequacy and accuracy of summaries	2017-06-26
127	Motion record in response	2017-10-10
132	Commissioner's memorandum of fact and law	2017-10-12
141	Affidavit of Dr. Gunnar Niels	2017-11-16
225	Amended response of VAA	2018-04-18
322	Memorandum of fact and law of the Respondent	2018-09-10
340	Applicant memo of fact and law	2018-09-19
346	Agreed statement of facts	2018-09-24
385	Closing argument of VAA	2018-11-09
397	Closing submissions of the Commissioner	2018-11-09

Motion(s) document(s)

#	Title	Date
35	Notice of motion of the Respondent challenging a claim of privilege	2017-02-28
53	Motion record	2017-03-17
66	Notice of motion challenging adequacy and accuracy of summaries	2017-05-02
75	Notice of motion on behalf of the Respondent requiring the Applicant to produce complete, adequate and accurate summaries	2017-05-11
81	Motion record of the Respondent	2017-05-12
101	Supplementary motion record re: motion challenging adequacy and accuracy of summaries	2017-06-22
122	Respondent's motion record to compel answers to questions refused on discovery	2017-10-02
157	Notice of motion of VAA	2017-12-01
160	Public version of motion record filed November 30, 2017	2017-12-08
216	Motion record of VAA (Volume 1 of 2)	2018-04-09
217	Motion record of VAA (Volume 2 of 2)	2018-04-09
312	Motion record of the Respondent	2018-09-10
326	Motion record in Response of the Commissioner	2018-09-17

Decision(s)

#	Title	Date
20	Direction scheduling a CMC on December 20, 2016	2016-12-15
26	Scheduling Order	2016-12-20
29	Order amending Scheduling Order dated December 20, 2016	2017-02-13
32	Scheduling Order amending Scheduling Order dated December 20, 2016	2017-02-16
38	Direction scheduling case management conference on March 9, 2017	2017-03-07
39	Order amending the Scheduling Order	2017-03-07
43	Direction refusing the request to adjourn the date for a motion hearing	2017-03-09
55	Direction scheduling CMC of March 20, 2017	2017-03-20
57	Confidentiality Order	2017-03-20
62	Reasons for Order and Order dismissing a motion challenging the Commissioner's claims of public interest privilege	2017-04-24
72	Direction summaries motion	2017-05-08
77	Direction scheduling summaries motion hearing on June 7, 2017	2017-05-11

91	Direction adjourning summaries motion hearing of June 7, 2017	2017-06-02
95	Direction scheduling motion hearing challenging the adequacy and accuracy of summaries on June 26, 2017	2017-06-16
110	Reasons for Order and Order dismissing a motion challenging adequacy and accuracy of summaries	2017-07-04
116	Order amending the Scheduling Order	2017-07-21
135	Order and Reasons for Order granting in part Respondent's motion to compel answers to questions refused on discovery	2017-10-26
146	Direction re: disclosure obligations further to CMC of November 23, 2017	2017-11-24
158	Order and Reasons for Order granting in part Respondent's motion to conduct examination for discovery and to amend the Scheduling Order	2017-12-06
163	Order to further amend the Scheduling Order for filing any motion arising from the further examination for discovery of the Commissioner's representative	2017-12-18
172	Direction re: filing of confidential documents	2018-01-24
181	Direction for filing of documents at public hearing	2018-01-29
183	Order suspending the Scheduling Order and adjourning the hearing	2018-01-29
193	Order amending the hearing dates	2018-02-15
195	Direction re: deadline to March 2, 2018 for scheduling proposal	18-02-15
207	Direction re: draft Scheduling Order	2018-03-09
210	Order amending the Scheduling Order	2018-03-21
218	Direction scheduling Respondent's motion on April 30, 2018	2018-04-12
221	Direction cancelling the motion hearing of April 30, 2018	2018-04-16
223	Order allowing the filing of an amended response	2018-04-18
308	Direction re: Chess-Clock	2018-09-10
309	Direction re: steps further to CMC of September 7, 2018	2018-09-10
320	Order granting the motion of the Commissioner of Competition to file an additional witness statement	2018-09-12
324	Direction scheduling Respondent's motion hearing on September 24, 2018	2018-09-14
351	Order relating to the motion by Vancouver Airport Authority objecting to the admissibility of certain proposed evidence	2018-09-28
369	Direction regarding final submissions	2018-11-05
417	Decision Summary	2019-10-17
429	Reasons for Order and Order	2019-10-17

Other(s)		
#	Title	Date
137	Expert report of Dr. Gunnar Niels	2017-11-15
190	Expert report of Dr. David Reitman	2018-02-14
A-082	Expert report of Dr. Gunnar Niels	2018-10-15
R-098	Supplementary expert report of Dr. David Reitman	2018-10-16
R-133	Supplementary expert report of Dr. Michael W. Tretheway	2018-10-31