CT-2015-010

THE COMPETITION TRIBUNAL

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c.C-34, as amended;

IN THE MATTER OF an application by Audatex Canada, ULC for an Order pursuant to section 103.1 granting leave to make application under section 75 of the *Competition Act*;

BETWEEN:

COMPETITION TRIBUNAL TRIBUNAL DE LA CONCURRENCE FILED / PRODUIT

November 9, 2015 CT-2015-010

Jos LaRose for / pour REGISTRAR / REGISTRAIRE

OTTAWA, ONT

43

AUDATEX CANADA, ULC

Applicant

- AND -

CARPROOF CORPORATION, TRADER CORPORATION AND eBAY CANADA LIMITED

WRITTEN REPRESENTATIONS OF CARPROOF CORPORATION

(Response to Application for Leave Pursuant to Section 103.1)

DAVIES WARD PHILLIPS & VINEBERG LLP

155 Wellington Street West Toronto, Ontario M5V 3J7 Tel: (416) 863-5564 Fax: (416) 863-0871

> George Addy Adam Fanaki Matt Milne-Smith Jim Dinning

Counsel for CarProof Corporation

TO:

MCCARTHY TÉTRAULT LLP

Barristers and Solicitors P.O. Box 48, Suite 5300

Toronto Dominion Bank Tower

Toronto, Ontario

M5K 1E6

Donald B. Houston

Julie Parla

Jonathan Bitran Tel: (416) 601-7506

Fax: (416) 868-0873

Counsel for Audatex Canada, ULC

AND TO:

GOWLING LAFLEUR HENDERSON LLP

1 First Canadian Place 100 King Street West

Suite 1600

Toronto Ontario

M5X 1G5

Davit Akman

Tel: (416) 369-4611 Fax: (416) 862-7661

Counsel for eBay Canada Limited

AND TO:

GOODMANS LLP

Bay Adelaide Centre

333 Bay Street, Suite 3400

Toronto, ON M5H 2S7

Michael Koch

Tel: (416) 597-5156 Fax: (416) 979-1234

Counsel for Trader Corporation

AND TO:

John Pecman

Commissioner of Competition

50 Victoria Street

Gatineau, QC K1A 0C9

Tel: (819) 997-5300 Fax:(819) 953-5013 AND TO:

The Registrar
Competition Tribunal
Thomas D'Arcy McGee Building
90 Sparks Street, Suite 600
Ottawa, Ontario K1P 5B

INDEX

IAB	DOCUMENT
A.	Memorandum of Fact and Law of CarProof Corporation
B.	Affidavit of Paul Antony sworn November 5, 2015
1.	Exhibit 1 ~ Extracts from Solera's 2014 Annual Report
2.	Exhibit 2 ~
3.	Exhibit 3 ~ Complaint of CarProof in United States District Court
4.	Exhibit 4 ~
5.	Exhibit 5 ~
6.	Exhibit 6 ~
7.	Exhibit 7 ~ Email dated November 7, 2014 re-scheduling meeting
8.	Exhibit 8 ~ Email dated November 12, 2014 re-scheduling meeting
9.	Exhibit 9 ~ Calendar Appointment dated December 17, 2014 re-scheduling meeting
10.	Exhibit 10 ~ Email from Anthony Giagnacovo (Audatex) to Elias Olmeta (CarProof) dated January 6, 2015
11.	Exhibit 11 ~
12.	Exhibit 12 \sim Email from Evangelos Antypas (Audatex) to Elias Olmeta dated January 23, 2015
13.	Exhibit 13 ~ Email from Evangelos Antypas to Elias Olmeta dated February 12, 2015

<u>TAB</u>	DOCUMENT
14.	Exhibit 14 ~ Email from Evangelos Antypas to Elias Olmeta dated February 12, 2015
15.	Exhibit 15 ~
16.	Exhibit 16 \sim Email from Paul Antony to Evangelos Antypas dated March 26, 2015
17.	Exhibit 17 ~
18.	Exhibit 18 ~
19.	Exhibit 19 \sim Letter from Holden Rhodes to Jason Brady dated August 4, 2015
20.	Exhibit 20 ~
21.	Exhibit 21 –
22.	Exhibit 22 ~

CT-2015-010

THE COMPETITION TRIBUNAL

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c.C-34, as amended;

IN THE MATTER OF an application by Audatex Canada, ULC for an Order pursuant to section 103.1 granting leave to make application under section 75 of the *Competition Act*;

BETWEEN:

AUDATEX CANADA, ULC

Applicant

- and -

CARPROOF CORPORATION, TRADER CORPORATION AND eBAY CANADA LIMITED

Respondents

WRITTEN REPRESENTATIONS OF CARPROOF CORPORATION

DAVIES WARD PHILLIPS & VINEBERG LLP

155 Wellington Street West Toronto, Ontario M5V 3J7

George Addy / Adam Fanaki / Matt Milne-Smith / Jim Dinning

Tel: 416.863.0900 Fax: 416.863.0871

Counsel for CarProof Corporation