

FILED / PRODUIT

Date: JUNE 29, 2011

CT- 2011-006

Chantal Fortin for / pour
REGISTRAR / REGISTRAIRE

OTTAWA, ONT.

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File No.:
Registry Document No.:

COMPETITION TRIBUNAL

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

AND IN THE MATTER of an Application by the Used Car Dealers Association of Ontario for an Order pursuant to section 103.1 granting leave to make an application under sections 75 and 76 of the *Competition Act*.

BETWEEN:

USED CAR DEALERS ASSOCIATION OF ONTARIO

Applicant

- and -

INSURANCE BUREAU OF CANADA

Respondent

**APPLICATION FOR LEAVE TO MAKE AN APPLICATION UNDER
SECTIONS 75 AND 76 OF THE *COMPETITION ACT*
PURSUANT TO SECTION 103.1 OF THE *COMPETITION ACT***

1. **TAKE NOTICE THAT** the Applicant, the Used Car Dealers Association of Ontario (“UCDA”), will make an application to the Competition Tribunal (the “**Tribunal**”) pursuant to section 103.1 of the *Competition Act*, R.S.C. 1985, c. C-34, as amended (the “**Act**”) seeking leave to bring an application for orders under subsections 75(1) and 76(1)(a)(ii) of the *Act* directing the Respondent Insurance Bureau of Canada (“**IBC**”) to accept UCDA as a customer and to resume supplying vehicle insurance claims data to UCDA on usual trade terms.

2. **AND TAKE NOTICE THAT** if leave is granted, the Applicant will seek an interim order under section 104 of the *Act* requiring the Respondent IBC to immediately resume supplying vehicle insurance claims data to UCDA on the usual trade terms pending resolution of this application, and directions from the Tribunal for an expedited hearing.

3. **AND TAKE NOTICE THAT** UCDA will rely on the Statement of Grounds and Material Facts attached as Schedule A to the Proposed Notice of Application, on the Affidavit of Robert G. Beattie, sworn June 29th, 2011, on the Memorandum of Fact and Law accompanying this application, and such further or other material as counsel may advise and the Tribunal may permit.
4. **AND TAKE NOTICE THAT** UCDA requests that this Application be heard in the English language.
5. **AND TAKE NOTICE THAT** UCDA requests that the documents for this Application be filed in electronic form.
6. **AND TAKE NOTICE THAT** the person against whom the orders are sought is the Respondent. The address of the Respondent is: Insurance Bureau of Canada, 2235 Sheppard Avenue East, Atria II, Suite 1100, Toronto, Ontario, M2J 5B5.
7. Dated at Toronto this 29th day of June, 2011.

On behalf of the Applicant UCDA



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