

File No.

THE COMPETITION TRIBUNAL

IN THE MATTER OF an Application by the Commissioner of Competition for an Interim Order pursuant to section 100 of the *Competition Act*, R.S.C 1985, c. C-34, as amended;

AND IN THE MATTER OF an Inquiry pursuant to subsection 10(1)(b) of the *Competition Act*, R.S.C 1985, c. C-34, as amended, into the proposed acquisition by Labatt Brewing Company Limited of all of the outstanding units of Lakeport Brewing Income Fund.

BETWEEN:**THE COMMISSIONER OF COMPETITION**

Applicant

- and -

LABATT BREWING COMPANY LIMITED**LAKEPORT BREWING INCOME FUND****LAKEPORT BREWING LIMITED PARTNERSHIP****ROSETO INC.****TERESA CASCIOLI**

Respondents

AFFIDAVIT OF GREGORY LANG
(sworn March 20, 2007)

I, GREGORY LANG, of the City of Ottawa, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am a Competition Law Officer in the Mergers Branch, Competition Bureau, and I am an authorized representative of the Commissioner of Competition (the "**Commissioner**") for the purpose of this Application.
2. I am a case officer involved in the review by the Commissioner of the proposed acquisition of Lakeport Brewing Income Fund ("**Lakeport**") by Labatt Brewing Canada Ltd.

("Labatt") (the "**Proposed Acquisition**"), and as such have knowledge of the matters set out in this affidavit.

3. Attached as **Exhibit "1"** is a true copy of the Support Agreement dated January 31, 2007 (GNUM00000101) received on February 12, 2007 as part of Labatt Long Form Filing.

4. Attached as **Exhibit "2"** is a true copy of a document entitled "ABV – Board Presentation – Project School" dated January 2007 (GNUM00000418) received on February 12, 2007 as part of Labatt Long Form Filing.

5. Attached as **Exhibit "3"** is a true copy of a document entitled "Project School – Lakeport – Presentation to InBev Board" dated January 2007 (GNUM00000452) received on February 12, 2007 as part of Labatt Long Form Filing.

6. Attached as **Exhibit "4"** is a true copy of a document entitled "Discount Playbook" dated January 2007 (GNUM00000502) received on February 12, 2007 as part of Labatt Long Form Filing.

7. Attached as **Exhibit "5"** is a true copy of a document entitled "2007 Canada Commercial Strategy & Segment Plans" dated November 7-9, 2006 (GNUM00000898) received on February 12, 2007 as part of Labatt Long Form Filing.

8. Attached as **Exhibit "6"** is a true copy of a document entitled "2007 Discount Plan" dated October 2006 (GNUM00001635) received on February 12, 2007 as part of Labatt Long Form Filing.

9. Attached as **Exhibit "7"** is a true copy of a document entitled "2007 Discount Plan" dated October 2006 (GNUM00001735) received on February 12, 2007 as part of Labatt Long Form Filing.

10. Attached as **Exhibit "8"** is a true copy of a document entitled "2007 Discount Plan – Marketing Team Meeting" dated July 18, 2006 (GNUM00002469) received on February 12, 2007 as part of Labatt Long Form Filing.

11. Attached as **Exhibit "9"** is a true copy of a document entitled "National Discount Business Assessment – 2006" dated May 2006 (GNUM00002898) received on February 12, 2007 as part of Labatt Long Form Filing.
12. Attached as **Exhibit "10"** is a true copy of a document entitled "LPB Workshop: Canada Summary" dated January 10, 2006 (GNUM00003043) received on February 12, 2007 as part of Labatt Long Form Filing.
13. Attached as **Exhibit "11"** is a true copy of a document entitled "2006 Ontario Discount Plan" (GNUM00003456) received on February 12, 2007 as part of Labatt Long Form Filing.
14. Attached as **Exhibit "12"** is a true copy of a document entitled "Labatt Breweries of Canada – Marketing – Strategic Files" dated October 19, 2005 (GNUM00004487) received on February 12, 2007 as part of Labatt Long Form Filing.
15. Attached as **Exhibit "13"** is a true copy of a document entitled "Labatt Breweries of Canada – Ontario Business Unit Overview" dated October 19, 2005 (GNUM00004659) received on February 12, 2007 as part of Labatt Long Form Filing.
16. Attached as **Exhibit "14"** is a true copy of a document entitled "Labatt Breweries of Canada - Ontario Business Unit Overview" dated October 19, 2005 (GNUM00004712) received on February 12, 2007 as part of Labatt Long Form Filing.
17. Attached as **Exhibit "15"** is a true copy of a document entitled "2007 Discount Plan" dated August 2006 (GNUM00004805) received on February 12, 2007 as part of Labatt Long Form Filing.
18. Attached as **Exhibit "16"** is a true copy of a document entitled "Ontario Value Equation – Mr. Clean – CLE Update" dated January 25, 2005 (GNUM00005684) received on February 12, 2007 as part of Labatt Long Form Filing.
19. Attached as **Exhibit "17"** is a true copy of a document entitled "Mr. Clean – Improving the Value Equation of Premium" dated November 23, 2004 (GNUM00005950) received on February 12, 2007 as part of Labatt Long Form Filing.

20. Attached as **Exhibit "18"** is a true copy of a document entitled "Ontario Discount Segment – Opportunity & Valuation" (GNUM00010163) received on February 12, 2007 as part of Labatt Long Form Filing.
21. Attached as **Exhibit "19"** is a true copy of a document entitled "LPB Update – Ontario – Board Update" (GNUM00010724) received on February 12, 2007 as part of Labatt Long Form Filing.
22. Attached as **Exhibit "20"** is a true copy of a document entitled "Discount 3Y Action Plan" dated October 2006 (GNUM10755_00000001) received on March 8, 2007 as part of Labatt s. 11 Order Response.
23. Attached as **Exhibit "21"** is a true copy of the Prospectus of Lakeport Brewing Income Fund dated June 8, 2005 (GNUP00000211) received on February 12, 2007 as part of Lakeport Long Form Filing.
24. Attached as **Exhibit "22"** is a true copy of the Amended and Restated Preliminary Prospectus of Lakeport Brewing Income Fund dated May 19, 2005 (GNUP00000353) received on February 12, 2007 as part of Lakeport Long Form Filing.
25. Attached as **Exhibit "23"** is a true copy of a document entitled "Meeting of the Trustees and Directors of Lakeport Brewing Income Fund" dated August 29, 2006 (GNUP00000712) received on February 12, 2007 as part of Lakeport Long Form Filing.
26. Attached as **Exhibit "24"** is a true copy of a document entitled "Lakeport Brewing – New Initiatives" dated 2006 (GNUP00000907) received on February 12, 2007 as part of Lakeport Long Form Filing.
27. Attached as **Exhibit "25"** is a true copy of a document entitled "Lakeport Brewing Income Fund – 2007 Marketing Plan Presentation" dated November 6, 2006 (GNUP00000939) received on February 12, 2007 as part of Lakeport Long Form Filing.
28. Attached as **Exhibit "26"** is a true copy of the Lakeport Brewing Income Fund Business Plan 2006 (GNUP00000970) received on February 12, 2007 as part of Lakeport Long Form Filing.

29. Attached as **Exhibit "27"** is a true copy of the Lakeport Capital Investment Planning Documents dated January 2006 (GNUP00001099) received on February 12, 2007 as part of Lakeport Long Form Filing.

30. Attached as **Exhibit "28"** is a true copy of a document entitled "Lakeport Marketing Plan F2005" dated February 19, 2004 (GNUP00001153) received on February 12, 2007 as part of Lakeport Long Form Filing.

31. Attached as **Exhibit "29"** is a true copy of a document entitled "Lakeport F2006 Marketing" dated January 2005 (GNUP000001323) received on February 12, 2007 as part of Lakeport Long Form Filing.


32. Attached as **Exhibit "30"** is a true copy of a document entitled "Lakeport Brewing Income Fund – 2007 Marketing Plan – Presentation" (GNUP000003257) received on March 15, 2007 as part of Lakeport s.11 Order Response.

33. Attached as **Exhibit "31"** is a true copy of a document entitled "Ontario Discount Initiatives Research Final Report – TNS Canadian Facts" dated December 2005 (GKPK00000388) received on March 3, 2007 as part of Labatt s. 11 Order Response.

34. Attached as **Exhibit "32"** is a true copy of the Draft Consent Interim Agreement dated February 22, 2007 (uncoded) received on February 22, 2007 from Counsel to Labatt.

35. I make this affidavit in support of an application by the Competition Bureau under section 100 of the *Competition Act*, and for no other or improper purpose.

SWORN before me at the City of)
Ottawa, in the Province of)
Ontario, this 20th day of March, 2007)


GREGORY LANG


A Commissioner for Taking Affidavits