

Competition Tribunal



Tribunal de la concurrence

Reference: *Commissioner of Competition v. Éconoco inc. et al.*, 2006 Comp. Trib. 22
File No.: CT-2006-002
Registry Document No.: 0019

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34, and its amendments;

AND IN THE MATTER OF an inquiry under subparagraph 10(1)(b)(ii) of the *Competition Act* in relation to the marketing practices of Éconoco inc. et al.;

AND IN THE MATTER OF an application by the Commissioner of Competition for an order under section 74.1 of the *Competition Act*.

BETWEEN:

The Commissioner of Competition
(applicant)

and

Éconoco inc.
Réal Laroche
Claude Tardif
(respondents)



Date of teleconference: April 21, 2006

Judicial member presiding over the teleconference: Mr. Justice Pierre Blais

Date of order: April 24, 2006

Order signed by: Mr. Justice Pierre Blais

**ORDER FOLLOWING THE CASE MANAGEMENT TELECONFERENCE HELD
ON APRIL 21, 2006**

[1] WHEREAS the draft schedule was jointly tabled by the parties on April 20, 2006, for the hearing of the application filed with the Competition Tribunal by the Commissioner of Competition on February 22, 2006;

[2] WHEREAS at the case management teleconference held on April 21, 2006, the parties provided the number of their respective witnesses at the hearing, namely, four ordinary witnesses and one expert witness for the Commissioner, and six ordinary witnesses and two expert witnesses for the respondents;

[3] WHEREAS the time provided in the joint schedule could be insufficient for the hearing of the evidence and the final arguments;

[4] AND WHEREAS the parties have agreed on the dates of the hearing and the few modifications to be made to the joint schedule;

THE TRIBUNAL ORDERS THAT:

[5] The deadlines for the preparatory steps for the hearing are as follows:

[i] Submission and service of the response: Friday, May 12, 2006

[ii] Service of the respondents' Disclosure Statement: Friday, May 26, 2006

[iii] Filing and service of the reply: Thursday, June 1, 2006

[iv] Service of affidavits of expert witnesses: Saturday, September 2, 2006

[v] Service of affidavits of rebuttal: Friday, September 15, 2006

[vi] Filing of affidavits of expert witnesses: Friday, September 22, 2006

[vii] Service of notice indicating names and addresses of witnesses: Monday, September 25, 2006

[viii] Disclosure of the list of admissible documents under section 69 of the Act: Monday, September 25, 2006

[6] A case management teleconference will take place between June 26 and June 30, 2006. The date and time for this teleconference remains to be confirmed.

[7] Ten days are scheduled for the hearing of the application, which will be held in Montréal, Quebec, from Monday, October 2, 2006, to Friday, October 6, 2006, and from Monday, October 16, 2006, to Friday, October 20, 2006.

DATED at Ottawa, this 24th day of April 2006.

SIGNED on behalf of the Tribunal by the presiding judicial member.

(s) Pierre Blais

APPEARANCES

For the applicant, the Commissioner of Competition:

Jean-Michel Kalubiaka

For the respondents, Éconoco inc. and Réal Laroche:

Martin Marceau

The respondent Claude Tardif was neither present nor represented.