

THE COMPETITION TRIBUNAL

IN THE MATTER 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)(ii) of the *Competition Act* relating to the marketing practices of The Dosco Group Inc., Fabutan Corporation, Fabutan Studios and Douglas Scott McNabb, President, carrying on business as Fabutan Sun Tan Studios;

AND IN THE MATTER OF an Application by the Commissioner of Competition for an order pursuant to Section 74.01 of the *Competition Act*.

B E T W E E N:

THE COMMISSIONER OF COMPETITION

Applicant

- and -

**THE DOSCO GROUP INC., FABUTAN CORPORATION,
FABUTAN STUDIOS AND DOUGLAS SCOTT MCNABB, President,
carrying on business as FABUTAN SUN TAN STUDIOS**

Respondents

COMPETITION TRIBUNAL
TRIBUNAL DE LA CONCURRENCE

Nov. 15, 2005
CT-2005-003

Chantal Fortin for / pour
REGISTRAR / REGISTRAIRE

OTTAWA, ONT.

0012


TAKE NOTICE that an application will be made on behalf of the Respondents; THE DOSCO GROUP INC., FABUTAN CORPORATION, FABUTAN STUDIOS AND DOUGLAS SCOTT MCNABB, President, carrying on business as FABUTAN SUN TAN STUDIOS, before the presiding Justice by teleconference on the 25th of November, 2005 at 2:00pm EST. in the forenoon or so soon thereafter as the applicant may be heard for an Order for leave to be represented by its corporate officer, Doug McNabb, in these proceedings, rather than a solicitor, pursuant to rule 120 of the Federal Rules of Court.

AND FURTHER TAKE NOTICE that the grounds on which the Application is made include the following:

1. Reference will be made to Rules 120 of the Federal Rules of Court.

AND FURTHER TAKE NOTICE that in support of the Application will be read the Affidavit of Doug McNabb and such further and other materials as Counsel may advise, including without limitation, documents filed in Competition Tribunal action number CT-2005-003.

DATED at the City of Calgary, in the Province of Alberta this 15 day of November, 2005


Doug McNabb

TO: The Clerk of the Court

AND TO: Sanderson Graham, legal counsel for the Competition Tribunal

Action No CT-2005-003

2005

IN THE FEDERAL COURT
JUDICIAL DISTRICT OF

B E T W E E N:

THE COMMISSIONER OF COMPETITION

Applicant

- and -

**THE DOSCO GROUP INC., FABUTAN
CORPORATION,
FABUTAN STUDIOS AND DOUGLAS SCOTT
MCNABB, President,
carrying on business as FABUTAN SUN TAN
STUDIOS**

Respondents

NOTICE OF MOTION

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