



Reference: *Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc. v. Symbol Technologies Canada ULC*, 2004 Comp. Trib. 9

File no.: CT2003008

Registry document no.: 0020

IN THE MATTER OF an application by Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc., for an order pursuant to section 75 of the *Competition Act*, R.S.C. 1985, c. C-34.

B E T W E E N:

**Price Waterhouse Coopers as Receiver and Manager of
Barcode Systems Inc.**
(applicant)

and

Symbol Technologies Canada ULC
(respondent)

Decided on the basis of the written record.

Member: Lemieux J. (presiding)

Date of order: 20040615

Order signed by: Lemieux J.



ORDER STAYING THE PROCEEDING

[1] FURTHER TO an application for leave pursuant to subsection 103.1(1) of the *Competition Act*, R.S.C. 1985, c. C-34 (the “Act”) to make an application under section 75 of that Act;

[2] AND FURTHER TO the Reasons and Order Regarding Application for Leave to Make an Application Under Section 75 of the *Competition Act*, [2004] C.C.T.D. No. 1 (QL);

[3] AND FURTHER TO the Order Setting a Date for Filing of Application Under Section 75 of the *Competition Act*, dated May 19, 2004 (the “Tribunal Order dated May 19, 2004”);

[4] AND FURTHER TO the letter of Lindy J.R. Choy on behalf of the applicant, Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc., dated June 8, 2004, and the letter of Dave Hill, on behalf of Symbol Technologies Canada ULC, dated June 11, 2004;

[5] AND ON CONSIDERING the consent of the parties to stay the requirement to file an application pursuant to section 75 of the Act until such time as all appeals of the decision to grant leave have been concluded;

THE TRIBUNAL ORDERS THAT:

[6] On consent of the parties, this proceeding is stayed until further order of the Competition Tribunal (the “Tribunal”).

[7] This stay may be lifted by the Tribunal, at the request of a party upon motion duly served on the other party.

DATED at Ottawa, this 15th day of June, 2004.

SIGNED on behalf of the Tribunal by the judicial member.

(s) François Lemieux

COUNSEL

For the applicant:

Price Waterhouse Coopers as Receiver and Manager of
Barcode Systems Inc.

Lindy J.R. Choy

For the respondent:

Symbol Technologies Canada ULC

David Hill