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#### CT-2008-004 ( Nadeau Poultry Farm )

##### Proceeding 1

**Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited v. Groupe Westco Inc., Groupe Dynaco, Coopérative Agroalimentaire and Volailles Acadia S.E.C./Volailles Acadia Inc. and Acadia Poultry Inc.**

Section(s):	75 - Refusal to deal 104 (75) - Interim Order (Refusal to Deal)
Filed on:	2008-05-12
Status:	Decided - 2012-05-18

Applicant(s):	Nadeau Poultry Farm Limited
Respondent(s):	Groupe Westco Inc. Groupe Dynaco, Coopérative Agroalimentaire Volailles Acadia S.E.C. Acadia Poultry Inc.

Hearing Date:	2008-11-17
Hearing Location:	Ottawa
Panel Members:	Blanchard J. Paul-André Gervais Henri Lancôt

#### Case Documents

##### Pleading(s)

#	Title	Date
1	<a href="#">Notice of Application</a>	2008-05-12
2	<a href="#">Notice of Application pursuant to section 104 of the Competition Act</a>	2008-05-14
22	<a href="#">Affidavit of Thomas Soucy date May 29, 2008</a>	2008-05-29
25	<a href="#">Affidavit of Rémi Faucher dated May 29, 2008</a>	2008-05-29
27	<a href="#">Affidavit of Caroline Cloutier dated May 29, 2008</a>	2008-05-29
40	<a href="#">Supplementary affidavit of Anthony Tavares</a>	2008-06-09
55	<a href="#">Reply submissions of the Applicant</a>	2008-06-19
67	<a href="#">Response of the Respondent Groupe Dynaco, Coopérative Agroalimentaire to the application pursuant to section 75 of the Competition Act</a>	2008-06-26
74	<a href="#">Response of the Respondent Groupe Westco Inc.</a>	2008-06-26
76	<a href="#">Response of the Respondents Volailles Acadia S.E.C. and Volailles Acadia Inc. regarding the application pursuant to section 75 of the Competition Act</a>	2008-06-26
81	<a href="#">Reply pursuant to section 75 of the Competition Act</a>	2008-07-10
154	<a href="#">Amended response</a>	2008-09-23
324	<a href="#">Affidavit of Thomas Soucy of November 5, 2008</a>	2008-11-06
373	<a href="#">Argument of fact and law of Volailles Acadia S.E.C. and Volailles Acadia Inc.</a>	2008-12-02
362	<a href="#">Affidavit of Patrick Noël dated December 15, 2008</a>	2008-12-15

370	<a href="#">Affidavit of Thomas Soucy dated December 15, 2008</a>	2008-12-15
438	<a href="#">Public version of argument of fact and law of Groupe Volailles Acadia S.E.C. and Volailles Acadia Inc./Acadia Poultry Inc.</a>	2009-02-04
442	<a href="#">Public version of the affidavit of Patrick Noël dated December 15, 2008, filed by Volailles Acadia S.E.C. and Volailles Acadia Inc.</a>	2009-02-05
724	<b>Affidavit of Nathalie Lemire</b>	2011-09-13
730	<a href="#">Affidavit of Jessica Petrie sworn September 29, 2011</a>	2011-10-12

#### Motion(s) and Related Document(s)

#	Title	Date
142	<a href="#">Public version of motion record filed by the Applicant for an Order compelling participants to answer questions asked during the examination for discovery</a>	2008-09-17
144	<a href="#">Public version of notice of motion filed by Groupe Westco Inc. for an Order compelling participants to answer questions asked during the examination for discovery</a>	2008-09-18
304	<a href="#">Matters arising from examinatin for discoveries</a>	2008-10-31
315	<a href="#">Motion record of the applicant includes notice of motion and affidavit of Yves Landry sworn November 4, 2008</a>	2008-11-05
323	<a href="#">Notice of motion for directions regarding the interpretation of the supply Order of June 26, 2008</a>	2008-11-06
371	<a href="#">Responding motion record of the Applicant</a>	2008-12-18
372	<a href="#">Groupe Westco Inc.'s memorandum of fact and law</a>	2008-12-23
380	<a href="#">Notice of motion of Groupe Westco Inc. regarding refusals</a>	2009-01-08
383	<a href="#">Motion record of the Applicant regarding the refusals</a>	2009-01-08
413	<a href="#">Public version of memorandum of fact and law of Group Westco Inc.</a>	2009-01-23
436	<a href="#">Public version of the memorandum of fact and law of the Applicant</a>	2009-01-27
434	<a href="#">Public version of the memorandum of fact and law of Groupe Dynaco, Coopérative Agroalimentaire</a>	2009-02-03
441	<a href="#">Public version of the reply of Volailles Acadia S.E.C. and Volailles Acadia Inc. on the motion dated November 4, 2008 of the Applicant</a>	2009-02-05
679	<a href="#">Response to Westco's informal motion</a>	2010-06-23
723	<a href="#">Notice of motion regarding an undertaking as to damages</a>	2011-09-19
729	<a href="#">Response to the notice of motion of Groupe Westco Inc.</a>	2011-10-12
731	<a href="#">Memorandum of facts and law</a>	2011-11-14
738	<a href="#">Public version of the memorandum of facts and law</a>	2011-11-21

#### Decision(s)

#	Title	Date
17	<a href="#">Order relating to matters considered at the conference call of May 22, 2008</a>	2008-05-22
42	<a href="#">Scheduling Order</a>	2008-06-11
69	<a href="#">Confidentiality Order - on consent of the parties</a>	2008-06-26
70	<a href="#">Reasons for Order and Order allowing an application for interim relief under section 104 of the Competition Act</a>	2008-06-26
113	<a href="#">Order relating to matters considered at the conference call of September 5, 2008</a>	2008-09-05
221	<a href="#">Order dated October 10, 2008 regarding matters arising from examinations for discovery</a>	2008-10-10
303	<a href="#">Order regarding witness statement objections</a>	2008-10-31

321	<a href="#">Order relating to Nadeau's motion for a show cause Order</a>	2008-11-05
329	<a href="#">Order relating to matters considered at the hearing management conference of November 6, 2008</a>	2008-11-07
330	<a href="#">Order relating to objections to the Applicant's reply witness statements and expert reports</a>	2008-11-07
345	<a href="#">Scheduling Order for pre-hearing procedures relating to the Applicant's motion for show cause Order and the Respondent's motion for an Order or Direction regarding the Tribunal's interim supply Order</a>	2008-11-28
379	<a href="#">Order dated January 8, 2009 regarding matters arising from cross-examination in the contempt and interpretation motions</a>	2009-01-08
455	<a href="#">Reasons for Order and Order regarding Applicant's motion for a show cause Order</a>	2009-02-26
468	<a href="#">Order regarding disclosure by the Applicant in the contempt proceeding</a>	2009-06-04
532	<a href="#">Reasons for Order and Order</a>	2009-06-08
489	<a href="#">Order regarding disclosure by the Respondent Groupe Westco Inc. in the contempt proceeding</a>	2009-07-09
498	<a href="#">Order relating to matters considered at the case management conference of July 13, 2009</a>	2009-07-14
499	<a href="#">Order relating to matters considered at the case management conference of July 13, 2009 with respect to the contempt proceeding</a>	2009-07-14
508	<a href="#">Amended Scheduling Order</a>	2009-07-21
515	<a href="#">Direction to the parties with respect to a public version of the Tribunal's Reasons for Order and Order of June 8, 2009</a>	2009-08-04
516	<a href="#">Order relating to a public version of the Tribunal's confidential Reasons for Order and Order of June 8, 2009</a>	2009-08-04
536	<a href="#">Order granting the Respondents an extension of time to file materials relating to costs and granting the Applicant's request with respect to a public version of the Tribunal's Order of June 8, 2009</a>	2009-08-07
535	<a href="#">Order granting the Applicant's request to respond to Respondent's letter of July 31, 2009 in the contempt proceeding</a>	2009-08-10
539	<a href="#">Order regarding the disclosure of documents over which the Applicant has claimed solicitor-client privilege</a>	2009-08-13
562	<a href="#">Order regarding disclosure by the Applicant in the contempt proceeding</a>	2009-09-01
577	<a href="#">Re-amended Scheduling Order</a>	2009-09-23
603	<a href="#">Reasons for Order and Order dealing with questions about costs issues</a>	2010-01-21
608	<a href="#">Reasons for Order and contempt Order (public version)</a>	2010-01-22
617	<a href="#">Order refusing Westco's request to adjourn the sentencing hearing pending the determination of its appeal from the Tribunal's contempt Order</a>	2010-02-19
638	<a href="#">Scheduling Order for sentencing hearing</a>	2010-03-15
641	<a href="#">Order dismissing Westco's motion for an Order or Direction regarding the interpretation of the Tribunal's interim supply Order</a>	2010-03-18
650	<a href="#">Order granting Westco's representative access to confidential level A materials and extending time to serve and file documents relating to the sentencing hearing</a>	2010-04-07
673	<a href="#">Amended sentencing hearing Order</a>	2010-05-13
677	<a href="#">Final Reasons for Order and Order dealing with costs</a>	2010-06-03
703	<a href="#">Sentencing Order (public version)</a>	2010-09-24
701	<a href="#">Reasons for Order and Order regarding a claim for solicitor-client privilege in respect of the amount of Nadeau's legal fees</a>	2010-11-30
721	<a href="#">Scheduling Order for the hearing of Westco's motion regarding the enforcement of an undertaking as to damage</a>	2011-08-30
744	<a href="#">Reasons and Order regarding Westco's request to enforce an undertaking</a>	2012-05-18

## Other(s)

#	Title	Date
44	<a href="#">Written Representations of Groupe Westco Inc.</a>	2008-06-16
46	<a href="#">Written Representations of Groupe Dynaco, Coopérative Agroalimentaire</a>	2008-06-16
48	<a href="#">Written representations of Groupe Volailles Acadia S.E.C. and Volailles Acadia Inc./Acadia Poultry Inc.</a>	2008-06-16
355	<a href="#">Public version of the Applicant's submissions and compendium</a>	2008-12-10
369	<a href="#">Written representations of Groupe Dynaco, Coopérative Agroalimentaire</a>	2008-12-17
460	<a href="#">Submissions of the Applicant concerning the disclosure in the contempt proceeding</a>	2009-05-21
462	<a href="#">Submissions of Westco concerning the disclosure in the contempt proceeding</a>	2009-05-21
473	<a href="#">Letter from the Applicant enclosing documents for the contempt proceeding and requesting that Westco be required to produce witness statements</a>	2009-06-19
474	<a href="#">List of witness for contempt proceeding</a>	2009-06-19
476	<a href="#">Witness statement of Ms. Denise Boucher</a>	2009-06-19
477	<a href="#">Witness statement of Mr. Yves Landry</a>	2009-06-19
479	<a href="#">Witness statement of Dr. Rachel Oukama</a>	2009-06-19
482	<a href="#">Written submissions in response to letter dated June 19, 2009</a>	2009-06-29
483	Letter in reply to submissions filed June 29, 2009	2009-07-02
484	<a href="#">Letter in reply to letter dated July 2, 2009</a>	2009-07-02
652	<a href="#">Submissions of Groupe Westco Inc. on sentencing and costs</a>	2010-04-19
733	<a href="#">Supplementary record of Nadeau</a>	2011-11-14