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CT-2002-004 (Sears)

**Proceeding 1
 The Commissioner of Competition v Sears Canada Inc.**

Section(s):	74.01 - Deceptive marketing practices
Filed on:	2002-07-22
Status:	Decided - 2005-01-11

Applicant(s):	The Commissioner of Competition
Respondent(s):	Sears Canada Inc.

Hearing Date:	2003-10-20 to 2003-10-24 2003-10-27 to 2003-10-31 2003-11-03 to 2003-11-07 2003-11-12 to 2003-11-14 2004-01-16, 2004-01-19 to 2004-01-22 2004-02-02 to 2004-02-03 2004-06-28 to 2004-06-29 2004-08-19 to 2004-08-20
Hearing Location:	Ottawa
Panel Members:	Dawson J.

Case Documents

Pleading(s)

#	Title	Date
1a	Notice of Application	2002-07-22
2a	Response	2002-09-18
11b	Reply	2002-10-28

Motion(s) and Related Document(s)

#	Title	Date
124b	Memorandum of argument of the Commissioner of Competition (final) (public version)	2004-06-11
133b	Sears' memorandum of argument (re: Constitutional Question - final argument)	2004-06-18
133c	Sears' memorandum of argument (re: Ordinary price representations - final argument)(public version)	2004-06-18

Other(s)

#	Title	Date
4	Notice of constitutional question	2002-09-18
70	Expert affidavit of Dennis DesRosiers sworn September 22, 2003	2003-10-14

78	Expert affidavit of Dr. Kenneth R. Deal sworn September 19, 2003	2003-10-14
107	Supplemental expert affidavit of Dr. Kenneth R. Deal sworn December 22, 2003	2004-01-08
109	Supplemental expert affidavit of Dennis DesRosiers sworn January 13, 2004	2004-01-13
68a	Expert affidavit of Dr. Donald Lichtenstein sworn October 10, 2003 (public version)	2004-01-16
69a	Expert affidavit of Sridhar Krishna Moorthy sworn October 9, 2003 (public version)	2004-01-16
71a	Expert affidavit of Donald Gauthier sworn September 22, 2003 (public version)	2004-01-16
77	Expert affidavit of Stephen Paul Mahinka sworn September 22, 2003 (public version)	2004-01-16
79a	Expert affidavit of John O. Winter sworn September 19, 2003 (public version)	2004-01-16
80a	Expert affidavit of Michael J. Trebilcock sworn September 22, 2003 (public version)	2004-01-16
81a	Expert rebuttal affidavit of Michael J. Trebilcock sworn October 3, 2003 (public version)	2004-01-16
82a	Supplemental expert rebuttal affidavit of Michael J. Trebilcock sworn October 10, 2003 (public version)	2004-01-16
139	Further written submissions of Sears Canada Inc. (re: S.74.01(5) of the Competition Act)	2004-07-06
137g	Argument in reply of the Commissioner (final) (public version)	2004-08-30
155a	Commissioner's submissions re: Documentary evidence	2004-09-10
157a	Sears' reply submissions regarding documentary evidence	2004-09-24
155c	Commissioner's reply regarding the documentary evidence	2004-10-01

Decision(s)		
#	Title	Date
6	Order extending time for filing reply	2002-10-03
13	Order regarding service of disclosure statements, proposed schedule and scheduling	2002-10-23
28	Reasons and Order regarding Respondent's motion	2003-02-05
30	Reasons and Order regarding Commissioner's motion	2003-02-05
34	Order extending time to serve disclosure statement	2003-02-17
44	Interim confidentiality Order	2003-04-28
50	Scheduling Order	2003-05-30
60	Order regarding Respondents' motion for leave to amend response and directing the Commissioner to produce documents	2003-10-06
62	Order to vary Scheduling Order by extending time for exchange of expert rebuttal affidavits	2003-10-08
85	Reasons for Order regarding Respondent's motion for leave to amend and directing the Commissioner to produce documents	2003-10-17
92	Reasons regarding Sears' notice of motion for adjournment and/or stay of proceedings	2003-10-21
95	Order regarding Sears' motion to amend its disclosure statement	2003-10-23
96	Order regarding a request to admit	2003-10-23
97	Reasons regarding Respondent's motion for leave to amend previously served will-say statements and to disclosure statement	2003-10-27
98	Supplementary Reasons and Order regarding the cost of Sears' motion for an adjournment and/or stay of proceedings	2003-10-29

99	Reasons and Order regarding the Commissioner's motion making certain documents public	2003-10-29
100	Reasons following the Tribunal's Order regarding a request to admit	2003-10-29
102	Order regarding public transcript dated November 12, 2003	2003-11-14
103	Order regarding expert witness	2003-12-22
123	Scheduling Order regarding final argument	2004-04-06
131	Reasons and Order regarding Sears' motion to amend the Scheduling Order regarding final argument	2004-06-11
138	Order regarding Sears' motion for adjournment	2004-06-30
151	Reasons for Order and Order regarding Sears' motion for leave to present evidence and make submissions at a separate hearing relating to subsection 74.1(5) of the Competition Act	2004-07-20
148	Order regarding a motion (from the Respondent) made orally to strike part of affidavit	2004-07-21
152	Scheduling Order regarding final argument	2004-08-05
158b	Reasons for Order	2005-01-11
162	Scheduling Order regarding hearing relating to subsections 74.01(3) and (5) of the Competition Act and with respect to submissions on costs	2005-02-07
163	Scheduling Order regarding March 29, 2005 hearing	2005-02-18
167	Order with respect to Reasons for Order dated January 11, 2005 and administrative monetary penalty and costs	2005-04-01