

Competition Tribunal



Tribunal de la concurrence

Reference: *The Commissioner of Competition v. Hudson's Bay Company*, 2018 Comp Trib 11
File No: CT-2017-008
Registry Document No: 70

IN THE MATTER OF an application for orders pursuant to section 74.1 of the *Competition Act* for conduct reviewable pursuant to paragraph 74.01(1)(a) and subsection 74.01(3) of the *Competition Act*;

AND IN THE MATTER OF a request to file an amended confidentiality order.

BETWEEN:

The Commissioner of Competition
(applicant)

and

Hudson's Bay Company
(respondent)



Decided on the basis of the written record
Before Judicial Member: J. Gagné J.
Date of Order: May 1, 2018

ORDER ALLOWING THE FILING OF AN AMENDED CONFIDENTIALITY ORDER

[1] **FURTHER TO** the application filed by the Commissioner of Competition (the “**Commissioner**”) against the Respondent, Hudson’s Bay Company (“**HBC**”) pursuant to paragraph 74.1(1)(a) and subsection 74.01(3) of the *Competition Act*, R.S.C. 1985, c. C-34, as amended (the “**Act**”);

[2] **AND FURTHER TO** the Confidentiality Order issued by the Tribunal on December 21, 2017, which had been filed on consent by the Commissioner and HBC;

[3] **AND FURTHER TO** the Commissioner’s letter dated April 26, 2018, to the Tribunal, informally requesting the Tribunal’s leave to file a proposed Amended Confidentiality Order;

[4] **AND FURTHER TO** the Commissioner indicating that the parties have agreed to amend the terms of the confidentiality order as found in the Amended Confidentiality Order;

[5] **AND WHEREAS** the Tribunal has examined the Amended Confidentiality Order and noted that both parties have agreed to its filing;

[6] **AND WHEREAS** the Commissioner can be dispensed from the formality of having to file a motion in support of its request to file the Amended Confidentiality Order and that the Amended Confidentiality Order can be filed with the Tribunal by letter to the Registry;

THE TRIBUNAL ORDERS THAT:

[7] The request to file an Amended Confidentiality Order is granted.

[8] The Commissioner is dispensed from the requirement of filing a formal motion to file the Amended Confidentiality Order on consent and is allowed to file it by letter to the Registry.

DATED at Ottawa, this 1st day of May 2018.

SIGNED on behalf of the Tribunal by the presiding judicial member

(s) Jocelyne Gagné

COUNSEL OF RECORD:

For the applicant:

The Commissioner of Competition

Alexander Gay
Derek Leschinsky
Katherine Rydel

For the respondent:

Hudson's Bay Company

Eliot Kolers
Mark Walli
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