



Date: October 4, 2016

Subject: CT-2016-003 - CarGurus, Inc. and Trader Corporation

Direction to Counsel (from Justice Gascon, Chairperson)

Further to the e-mail from counsel for CarGurus, Inc. dated September 29, 2016, wherein he indicated that the parties continue their settlement negotiations and requested that the Tribunal delay the release of its decision for an additional thirty days, and further to the Case Management Conference held on October 4, 2016 with counsel for all parties, the Tribunal hereby directs as follows:

Considering that the Tribunal has already agreed to defer issuing its decision for a period of more than two weeks further to its Direction dated September 14, 2016;

Considering that the Tribunal's review and consideration of CarGurus' application for leave is completed, that its decision has been ready to be issued since the middle of September and that the parties have been made aware of this in the September 14, 2016 Direction;

Considering that the Tribunal's proceedings shall be dealt with as expeditiously as the circumstances and considerations of fairness permit;

Considering the parties' efforts in attempting to negotiate an agreed-upon settlement and the public interest in encouraging settlements;

Considering that this public interest, however, has to be balanced against the public interest in the rapid release of decisions when matters have been heard and completed by Courts or Tribunals;

Considering that the parties have already benefited from a period of more than two weeks to negotiate a settlement since the September 14, 2016 Direction;

Considering that it is not in the interests of justice and of the sound administration of Tribunal proceedings to prolong a suspension of the releasing of its decision for another month;

Considering that leave applications such as this one are to be dealt with rapidly;

The Tribunal partially agrees to the parties' request and will hold off releasing its decision until the end of the day on Thursday, October 13, 2016. CarGurus shall have until that date to advise the Tribunal of a settlement and/or file a Notice of Discontinuance, failing which the Tribunal will release its decision on Friday, October 14, 2016.

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