

THE COMPETITION TRIBUNAL

IN THE MATTER OF THE *COMPETITION ACT*,
R.S. 1985, C. C-34, AS AMENDED;

AND IN THE MATTER OF AN APPLICATION BY THE
COMMISSIONER OF COMPETITION PURSUANT TO SECTION 76 OF THE
***COMPETITION ACT*;**

AND IN THE MATTER OF CERTAIN AGREEMENTS OR ARRANGEMENTS
IMPLEMENTED OR ENFORCED BY VISA CANADA CORPORATION AND
MASTERCARD INTERNATIONAL INCORPORATED.

BETWEEN:

COMPETITION TRIBUNAL TRIBUNAL DE LA CONCURRENCE FILED / PRODUIT February 24, 2011 CT-2010-010 Jos LaRose for / pour REGISTRAR / REGISTRAIRE	
OTTAWA, ONT	# 33

THE COMMISSIONER OF COMPETITION

Applicant

-and-

VISA CANADA CORPORATION and
MASTERCARD INTERNATIONAL INCORPORATED

Respondents

RESPONSE OF MASTERCARD INTERNATIONAL INCORPORATED TO THE
MOTION FOR LEAVE TO INTERVENE OF THE TORONTO-DOMINION BANK

1. MasterCard International Incorporated (“MasterCard”) has reviewed the Motion for Leave to Intervene made by The Toronto-Dominion Bank, dated February 10, 2011.
2. In light of the test for intervention under subsection 9(3) of the *Competition Tribunal Act*, the criteria for intervention under rule 43 of the *Competition Tribunal Rules*, and the applicable jurisprudence, MasterCard supports the said motion of The Toronto-Dominion Bank.

3. MasterCard does not consider that a hearing needs to be held to determine the said motion.

Dated at Toronto this 24th day of February, 2011.

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IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c.
C-34, as amended;

AND IN THE MATTER OF an application by the
Commissioner of Competition pursuant to section 76 of the
Competition Act;

AND IN THE MATTER OF certain agreements or
arrangements implemented or enforced by Visa Canada
Corporation and MasterCard International Incorporated.

BETWEEN:

THE COMMISSIONER OF COMPETITION
Applicant

- and -

VISA CANADA CORPORATION and MASTERCARD
INTERNATIONAL INCORPORATED
Respondents

**RESPONSE OF MASTERCARD INTERNATIONAL
INCORPORATED TO THE MOTION FOR LEAVE TO
INTERVENE OF THE TORONTO-DOMINION BANK**

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