



Reference: *Nadeau Poultry Farm Limited v. Groupe Westco Inc.*, 2010 Comp. Trib. 8
File No.: CT-2008-004
Registry Document No.: 673

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

AND IN THE MATTER of an Application by Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited for an Order pursuant to section 75 of the *Competition Act*;

AND IN THE MATTER of an Application by Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited for an Interim Order pursuant to section 104 of the *Competition Act*;

AND IN THE MATTER of a Motion by Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited for a Show Cause Order;

AND IN THE MATTER of a Motion by the Respondent Groupe Westco Inc. for an Order or Direction regarding the Tribunal's Interim Supply Order;

B E T W E E N:

**Nadeau Ferme Avicole Limitée/
Nadeau Poultry Farm Limited**
(applicant)

and

**Groupe Westco Inc. and Groupe Dynaco,
Coopérative Agroalimentaire, and Volailles
Acadia S.E.C. and Volailles Acadia Inc./
Acadia Poultry Inc.**
(respondents)



Date of Conference call: 20100511
Before Judicial Member: Blanchard J.
Date of Order: May 13, 2010
Order signed by: Justice Edmond P. Blanchard

AMENDED SENTENCING HEARING ORDER

[1] **FURTHER TO** the Competition Tribunal's Reasons for Order and Contempt Order of January 22, 2010;

[2] **AND FURTHER TO** paragraph 9 of the Order Refusing Westco's Request to Adjourn the Sentencing Hearing Pending the Determination of its Appeal from the Tribunal's Contempt Order, dated February 19, 2010 (the "Order"), scheduling the sentencing hearing for April 29 and 30, 2010;

[3] **AND FURTHER TO** a Direction of the Tribunal dated April 26, 2010, in which the Tribunal adjourned the sentencing hearing *sine die* as a result of a death in the family of counsel for the Respondent Groupe Westco Inc.;

[4] **AND FURTHER TO** the discussion with counsel for all parties during the conference call of May 11, 2010;

[5] **AND UPON** noting that counsel for the Respondent Groupe Westco Inc. and counsel for the Applicant Nadeau Poultry Farm Limited could make themselves available on the hearing dates described below;

THE TRIBUNAL ORDERS THAT

[6] The Tribunal's Order is amended so that the sentencing hearing will be held, starting at 9:30 a.m., on Tuesday, July 6, 2010 and Wednesday, July 7, 2010, in the Hearing Room of the Competition Tribunal located at 600-90 Sparks Street, Ottawa.

[7] The terms which were applicable for the last sentencing hearing remain. Accordingly, each party will be allotted a total of six hours to present evidence and make submissions. The chess clock procedure will be employed during the hearing.

DATED at Ottawa, this 13th day of May, 2010.

SIGNED on behalf of the Tribunal by Justice Blanchard.

(s) Edmond P. Blanchard

COUNSEL:

For the applicant

Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited

Leah Price

Ron Folkes

Andrea Marsland

For the respondent

Groupe Westco Inc.

Éric C. Lefebvre

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