



Reference: *Nadeau Poultry Farm Limited v. Groupe Westco Inc.*, 2009 Comp. Trib. 10  
File No.: CT-2008-004  
Registry Document No.: 508

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;

AND IN THE MATTER of the Show Cause Hearing of Groupe Westco Inc.

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)



Decided on the basis of the written record.  
Presiding Judicial Member: Blanchard J.  
Date of Order: July 21, 2009  
Order signed by: Justice Edmond P. Blanchard

**AMENDED SCHEDULING ORDER**

[1] **FURTHER TO** paragraph 7 of the Order Relating to Matters Considered at the Case Management Conference of July 13, 2009 with Respect to the Contempt Proceeding (the “Order”), scheduling the contempt hearing for October 5, 6, 13-16 and 19-20, 2009 (if necessary);

[2] **AND FURTHER TO** the letter dated July 17, 2009, from counsel for the Applicant requesting that the Tribunal vary paragraph 7 of the Order or, in the alternative, grant an adjournment, to any time in November on the basis that counsel’s inability to participate in the contempt hearing would result in significant hardship to the Applicant;

[3] **AND FURTHER TO** the letter dated July 20, 2009, from counsel for Groupe Westco Inc. raising concerns with respect to Applicant’s request;

[4] **AND UPON REVIEWING** carefully counsel’s correspondence;

[5] **AND WHEREAS** the Tribunal is satisfied that compelling reasons exist for varying paragraph 7 of the Order pursuant to Rule 139 of the *Competition Tribunal Rules*, SOR/2008-141;

[6] **AND UPON** all parties being available on the hearing dates described below;

**THE TRIBUNAL ORDERS THAT :**

[7] The Tribunal’s Order is amended so that the contempt hearing will proceed as follows:

Monday, November 2, 2009- Friday, November 6, 2009	Five days of hearing
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Monday, November 16, 2009 (if necessary)	One day of hearing
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DATED at Moncton, this 21<sup>st</sup> day of July, 2009.

SIGNED on behalf of the Tribunal by the presiding judicial member.

(s) Edmond P. Blanchard

**COUNSEL:**

For the applicant

Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited

Leah Price  
Joshua Freeman  
Myriah Graves  
Ron Folkes

For the respondent

Groupe Westco Inc.

Éric C. Lefebvre  
Martha Healey  
Alexandre Bourbonnais  
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