



Reference: *Nadeau Poultry Farm Limited v. Groupe Westco Inc.*, 2009 Comp. Trib. 12  
File No.: CT-2008-004  
Registry Document No.: 535

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: Simpson J.  
Date of Order: August 7, 2009  
Order signed by: Justice Sandra J. Simpson

**ORDER GRANTING THE APPLICANT'S REQUEST TO RESPOND TO  
RESPONDENT'S LETTER OF JULY 31, 2009 IN THE CONTEMPT PROCEEDING**

[1] **FURTHER TO** the Order Relating to Matters Considered at the Case Management Conference of July 13, 2009, with respect to the Contempt Proceeding;

[2] **AND FURTHER TO** the letter dated July 31, 2009, from counsel for the Respondent Groupe Westco Inc. (“Westco”) setting out a number of requests following their review of the Applicant’s disclosure of documents;

[3] **AND FURTHER TO** the letter dated August 4, 2009, from counsel for the Applicant seeking leave to file a response to Westco’s letter of July 31, 2009;

[4] **AND FURTHER TO** the letter dated August 5, 2009, from counsel for Westco seeking an opportunity to reply to any response served and filed by the Applicant;

**THE TRIBUNAL ORDERS THAT :**

[5] The Applicant shall serve and file its response to Westco’s letter dated July 31, 2009, on or before Wednesday, August 12, 2009. Westco shall serve and file a reply, if any, on or before Tuesday, August 18, 2009.

[6] No extensions shall be granted.

DATED at Ottawa, this 7<sup>th</sup> day of August, 2009.

SIGNED on behalf of the Tribunal by the Chairperson.

(s) Sandra J. Simpson

**COUNSEL:**

For the applicant

Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited

Leah Price

Joshua Freeman

Ron Folkes

For the respondent

Groupe Westco Inc.

Éric C. Lefebvre

Martha Healey

Alexandre Bourbonnais

Denis Gascon