



Reference: *Nadeau Poultry Farm Limited v. Groupe Westco Inc. et al.*, 2009 Comp. Trib. 08  
File No.: CT-2008-004  
Registry Document No.: 498

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*.

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: 20090713  
Presiding Judicial Member: Blanchard J.  
Date of Order: July 14, 2009  
Order signed by: Justice Edmond P. Blanchard

**ORDER RELATING TO MATTERS CONSIDERED AT THE CASE MANAGEMENT  
CONFERENCE OF JULY 13, 2009**

[1] **FURTHER TO** the Competition Tribunal Order of May 12, 2008, granting Nadeau Ferme Avicole Limitée/Nadeau Poultry Farm Limited (the “Applicant”) leave to make an application under section 75 of the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

[2] **AND FURTHER TO** the Tribunal’s confidential Reasons for Order and Order dated June 8, 2009 (the “Confidential Decision”), in which it dismissed the Applicant’s application under section 75 and in which it stated that the parties were to meet and endeavour to reach agreement upon the redactions that must be made to the Confidential Decision and with regards to costs;

[3] **AND WHEREAS** the parties have requested that they be provided with an extension of time to endeavour to reach an agreement with respect to the redactions;

[4] **AND WHEREAS** the Applicant and Groupe Westco Inc. (“Westco”) have been unable to reach an agreement with respect to costs;

[5] **AND FURTHER TO** the discussion with counsel for all parties during the conference call of July 13, 2009;

**THE TRIBUNAL ORDERS THAT:**

[6] The Respondents shall serve and file their respective bills of costs with submissions, if any, on or before Friday, August 7, 2009. The Applicant shall serve and file its responding submissions on or before Monday, August 31, 2009 and the Respondents shall serve and file their reply submissions, if any, on or before Tuesday, September 8, 2009.

[7] The parties’ request for additional time to reach an agreement with respect to redactions to be made to the Confidential Decision is granted. On or before Monday, July 20, 2009, the parties shall jointly correspond with the Tribunal setting out their agreement and any areas of disagreement concerning the redactions to the Confidential Decision. Should there be no agreement, the parties shall file a statement to that effect and the parties shall file submissions with respect to the contested redactions. Responding submissions shall be served and filed on or before Friday, July 24, 2009 and reply submissions, if any, shall be served and filed on or before Monday, July 27, 2009.

[8] The parties’ request to disclose a draft public version of the Confidential Decision to representatives of the parties who have been designated as Confidential Level – B representatives pursuant to the Tribunal’s Confidentiality Order dated June 26, 2008, is granted. The draft public version of the Confidential Decision shall have all redactions (agreed and contested) blacked-out.

[9] The Applicant's request to replace Mr. Anthony Tavares with Mr. Michael Burrows as a Confidential Level – B representative once a Confidentiality Undertaking has been signed by Mr. Burrows and filed with the Tribunal is granted.

DATED at Ottawa, this 14<sup>th</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 respondents

Groupe Westco Inc.

Éric C. Lefebvre  
Martha Healey  
Alexandre Bourbonnais  
Denis Gascon

Groupe Dynaco, Coopérative Agroalimentaire

Olivier Tousignant

Volailles Acadia S.E.C. and Volailles Acadia Inc./Acadia Poultry Inc.

Valérie Belle-Isle