



Reference: *The Commissioner of Competition v. Premier Career Management Group et al.*,
2008 Comp. Trib. 03
File No.: CT-2007-006
Registry Document No.: 0111

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

AND IN THE MATTER of an inquiry pursuant to subparagraph 10(1)(b)(ii) of the *Competition Act* relating to certain marketing practices of Premier Career Management Group Corp. and Minto Roy;

AND IN THE MATTER of an application by the Commissioner of Competition for an order under section 74.1 of the *Competition Act*.

B E T W E E N:

The Commissioner of Competition
(applicant)

and

**Premier Career Management Group Corp. and
Minto Roy**
(respondents)

Conference call: 20080215
Presiding Judicial Member: Simpson J. (Chairperson)
Date of Order: February 18, 2008
Order signed by: Madam Justice Sandra J. Simpson



**ORDER RELATING TO MATTERS CONSIDERED AT THE CONFERENCE CALL OF
FEBRUARY 15, 2008**

[1] **FURTHER TO** a notice of application filed by the Commissioner of Competition (the “Commissioner”) on May 8, 2007 for an order with respect to alleged false or misleading representations made by the Respondents contrary to subsection 74.01(1) of the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

[2] **AND FURTHER TO** the conference call of February 7, 2008, during which counsel for the Respondents indicated that they intended to examine the option of filing a motion to be removed as solicitor from the record;

[3] **AND FURTHER TO** the motion filed by the Respondents’ solicitor on Thursday, February 14, 2008, pursuant to Rule 125 of the *Federal Courts Rules*, SOR-98-106, in which they seek an order to be removed as “solicitor of record from representing the Respondents Premier Career Management Group Corp. and Minto Roy” (the “Motion”);

[4] **AND FURTHER TO** reading the documents and affidavit of Michael Thomas, dated February 13, 2008, filed in support of the Motion;

[5] **AND WHEREAS** counsel for the Respondents have offered to continue representing the Respondents on the basis of a limited retainer to comply with the requirement to produce and serve the Respondents’ lay witnesses’ statements by February 25, 2008, thereby ensuring that the timelines set out in the Tribunal’s Scheduling Order of December 14, 2007, are respected;

[6] **AND UPON** concluding that the Motion should be granted on that basis;

[7] **AND WHEREAS** Mr. Roy and counsel for the Commissioner agreed during the conference call to change the date for the commencement of the hearing from Wednesday, April 9, 2008, to Monday, April 14, 2008;

[8] **AND FURTHER TO** the discussion with the parties during this teleconference;

THE TRIBUNAL ORDERS THAT:

[9] Harper Grey LLP is removed as solicitor of record for Premier Career Management Group Corp. and Mr. Minto Roy effective February 25, 2008, after the Respondents’ lay witnesses’ statements, in affidavit form with any relevant documents attached, have been provided to the Tribunal with proof of service. Harper Grey LLP is to assist with the preparation and filing of the Respondents’ lay witnesses’ statements.

[10] Lay witnesses for the Respondents will not be heard at the hearing unless their statements were served and provided to the Tribunal with proof of service on or before February 25, 2008.

[11] Harper Grey LLP shall serve and file Mr. Minto Roy’s Notice of Intention to Act in Person pursuant to Rule 124 of the *Federal Courts Rules*.

[12] The Commissioner’s Motion to Amend her Amended Notice of Application to add details concerning representations allegedly made to Mr. Christopher Graham shall be heard on

Monday, March 3, 2008, at 2 p.m. Ottawa time. The Respondents may file any responding materials on or before Thursday, February 28, 2008.

[13] The Commissioner may serve documents on the Respondents by leaving them in an envelope, marked confidential and addressed to Mr. Minto Roy, at the corporate respondent's reception desk.

[14] The Commissioner's application will be heard commencing at 9:30 a.m. on the following days:

Monday, April 14 to Friday, April 18, 2008

Monday, April 21 to Thursday, April 24, 2008

Tuesday, April 29 to Friday, May 2, 2008

Monday, May 5 to Friday, May 9, 2008 (if needed)

DATED at Ottawa, this 18th day of February, 2008.

SIGNED on behalf of the Tribunal by the Chairperson.

(s) Sandra J. Simpson

COUNSEL:

For the moving party (Respondents' solicitor)

Terrence L. Robertson

For the responding parties

Minto Roy

For the Commissioner of Competition

Roger Nassrallah