



Reference: *The Commissioner of Competition v. Premier Career Management Group et al.*,
2008 Comp. Trib. 4
File No.: CT-2007-006
Registry Document No.: 0122

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: 20080303
Presiding Judicial Member: Simpson J. (Chairperson)
Date of Order: March 6, 2008
Order signed by: Madam Justice Sandra J. Simpson



**ORDER RELATING TO MATTERS CONSIDERED AT THE CONFERENCE CALL OF
MARCH 3, 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 motion filed by the Commissioner on Tuesday, February 5, 2008, in which she seeks an order for leave to amend the Amended Notice of Application to add details concerning representations allegedly made by the Respondents to Mr. Christopher Graham (the “Motion”);

[3] **AND FURTHER TO** reading the documents and written representations of counsel for the Commissioner, filed in support of the Motion, and Mr. Minto Roy’s submissions dated February 29, 2008;

[4] **AND UPON** concluding that the Motion should be granted on the understanding that Mr. Roy is relieved from providing lay witnesses’ statements for the witnesses he will call in response to the evidence of Mr. Christopher Graham and is relieved from amending paragraph 31 of the Respondents’ Amended Response to add the name and prior annual salary of Mr. Christopher Graham;

[5] **AND FURTHER TO** the discussion with counsel for the Commissioner and Mr. Roy during the teleconference of March 3, 2008;

THE TRIBUNAL ORDERS THAT:

[6] The Commissioner is granted leave to amend the Amended Notice of Application to add details concerning representations allegedly made by the Respondents to Mr. Christopher Graham. The Re-Amended Notice of Application shall be served and filed with proof of service on or before the opening of the hearing on April 14, 2008.

[7] The Respondent, Mr. Roy, is relieved from providing lay witnesses’ statements for the witnesses he will call in response to the evidence of Mr. Christopher Graham and is relieved from amending paragraph 31 of the Respondents’ Amended Response to add the name and prior annual salary of Mr. Christopher Graham.

[8] The statement of Mr. Ravi Puri shall be treated as a lay witness statement but shall not be introduced as evidence unless Mr. Ravi testifies during the hearing.

[9] The Respondent, Mr. Roy, shall at the commencement of the hearing:

- [i] Advise the Tribunal of the amount of time he will require for the cross-examination of the Commissioner’s witnesses.
- [ii] Provide the Tribunal with the order in which he will call his witnesses.

[10] The Commissioner’s objection concerning the introduction of the Examination Under Oath of Mr. Roy, dated February 27, 2007 (Exhibit X to Mr. Roy’s affidavit) as evidence shall

be heard on April 14, 2008, at 9:30 a.m. Vancouver time. The Commissioner shall serve and file written submissions on or before Friday, April 4, 2008. The Respondent, Mr. Roy, may serve and file any responding submissions on or before Wednesday, April 9, 2008.

DATED at Ottawa, this 6th day of March, 2008.

SIGNED on behalf of the Tribunal by the Chairperson.

(s) Sandra J. Simpson

COUNSEL:

For the applicant

The Commissioner of Competition

Stéphane Lilkoff

For the respondents

Premier Career Management Group Corp.

Not represented.

Minto Roy

Representing himself.