

Jos LaRose

From: Constantine, Lisa M. [LCONSTAN@MCCARTHY.CA]
Sent: February 28, 2007 4:12 PM
To: Jos LaRose; Filing Depot
Subject: FW: BNS ats B-filer

COMPETITION TRIBUNAL
TRIBUNAL DE LA CONCURRENCE

FILED / PRODUIT
CT-2005-006
February 28, 2007

Jos LaRose for / pour
REGISTRAR / REGISTRAIRE

OTTAWA, ONT

0166

-----Original Message-----

From: Constantine, Lisa M.
Sent: Wednesday, February 28, 2007 4:10 PM
To: 'Jos LaRose'; 'mosborne@agolaw.com'; 'jcantwell@agolaw.com'; Morrison, F. Paul;
Mills, Ben; Pagliaroli, Tanya A.; Ground, Patti
Subject: BNS ats B-filer

The Bank of Nova ats B-Filer
Tribunal File No. CT-2005-006

We write further to the Tribunal's Direction of February 21, 2007. Counsel have been unable to reach an agreement on the issue of costs. Counsel therefore request the right to make submissions to the Tribunal.

Counsel for both parties propose that counsel for the Bank of Nova Scotia deliver its written submissions within 30 days and that counsel for the Applicants deliver responding submissions within 30 days thereafter. Counsel wish to reserve the right to make oral submissions to the Tribunal given the complexity of the costs issues and the quantum of costs at stake.

Stella Alderson
Assistant to Lisa M. Constantine & Josh Koziebrocki
T:/Tél : 416-601-8200 ext. 542327
F:/Télé: 416-868-0673
E:/Courriel: salderso@mccarthy.ca

McCarthy Tétrault LLP / S.E.N.C.R.L., s.r.l.
Box 48, Suite 4700
Toronto Dominion Bank Tower
Toronto, ON M5K 1E6
www.mccarthy.ca

=====
This e-mail is intended only for the named recipient(s) and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. No waiver of privilege, confidence or otherwise is intended by virtue of communication via the internet. Any unauthorized use, dissemination or copying is strictly prohibited. If you have received this e-mail in error, or are not named as a recipient, please immediately notify the sender and destroy all copies of this e-mail. Please be aware that internet communications are subject to the risk of data corruption and other transmission errors. For information of extraordinary sensitivity, we recommend that our clients use encryption software when they communicate with us by e-mail.

By submitting your or another individual's personal information to McCarthy Tétrault LLP or its affiliates, service providers and agents, you agree, and confirm your authority from such other individual, to our collection, use and disclosure of such personal information in accordance with our privacy policy available at www.mccarthy.ca .

McCarthy Tétrault contact information may be found at www.mccarthy.ca/en/contactus .