



Reference: *B-Filer Inc. v. The Bank of Nova Scotia*, 2005 Comp. Trib. 41
File No.: CT-2005-006
Registry Document No.: 0044

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

AND IN THE MATTER OF an application by B-Filer Inc., B-Filer Inc. doing business as GPAY GuaranteedPayment and Npay Inc. for an order pursuant to section 103.1 for leave to make an application under sections 75 and 77 of the *Competition Act*;

AND IN THE MATTER OF an application by B-Filer Inc., B-Filer Inc. doing business as GPAY GuaranteedPayment and Npay Inc. for an interim order pursuant to section 104 of the *Competition Act*.

B E T W E E N :

**B-Filer Inc., B-Filer Inc. doing business as
GPAY GuaranteedPayment and Npay Inc.**
(applicants)

and

The Bank of Nova Scotia
(respondent)



Date of hearing by conference call: 2005-11-10
Presiding Judicial Member: Simpson J. (Chairperson)
Date of Reasons: November 14, 2005
Reasons signed by: Madam Justice Sandra J. Simpson

SCHEDULING ORDER

[1] UPON listening to the submissions of both parties on the scheduling of a hearing of an application made under section 104 of the *Competition Act*, R.S.C. 1985, c. C-34.

THE TRIBUNAL ORDERS THAT:

[2] The hearing of the section 104 application will be held, starting at 10 a.m., on Tuesday, December 13, 2005 and Wednesday, December 14, 2005, in the Hearing Room of the Competition Tribunal at 600-90 Sparks Street, Ottawa, Ontario.

DATED at Ottawa, this 14th day of November, 2005.

SIGNED on behalf of the Tribunal by the Chairperson of the Tribunal.

(s) Sandra J. Simpson

APPEARANCES:

For the Applicants B-Filer Inc., B-Filer Inc. doing business as GPAY
GuaranteedPayment and Npay Inc.:

Mr. Adam N. Atlas

For the Respondent Bank of Nova Scotia:

Mr. F. Paul Morrison

Mr. Glen G. MacArthur

Ms. Lisa M. Constantine