



Citation: *The Commissioner of Competition v. The Dosco Group Inc., Fabutan Corporation, Fabutan Studios and Douglas Scott McNabb, President c.o.b. as Fabutan Sun Tan Studios*, 2005 Comp. Trib. 24  
File no.: CT-2005-003  
Registry document no.: 0006

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

AND IN THE MATTER OF an inquiry pursuant to subsection 10(1)(b)(ii) of the *Competition Act* relating to the marketing practices of the Dosco Group Inc., Fabutan Corporation, Fabutan Studios and Douglas Scott McNabb, President, carrying on business as Fabutan Sun Tan Studios;

AND IN THE MATTER OF an application by the Commission of Competition for an order pursuant to section 74.01 of the *Competition Act*.

B E T W E E N :

**The Commissioner of Competition**  
(applicant)

and

**The Dosco Group Inc., Fabutan Corporation  
Fabutan Studios and Douglas Scott McNabb,  
c.o.b. Fabutan Sun Tan Studios**  
(respondents)

Decided on the basis of the written record.  
Presiding Member: Simpson J. (Chairperson)  
Date of Order: August 3, 2005



**SCHEDULING ORDER**

[1] FURTHER TO the schedule proposed by counsel for the Commissioner of Competition (the "Commissioner") and counsel for the Dosco Group *et al.* for the hearing of the application and pre-hearing procedures in the letter filed on Monday June 27, 2005;

[2] AND FURTHER TO the consent of counsel for the parties as to the schedule;

[3] AND FURTHER TO the submissions of the parties on the location of the hearing in letters both dated June 17, 2005;

THE TRIBUNAL ORDERS THAT:

[4] The hearing of the application shall commence on Monday, January 9, 2006 at 10:00 a.m. in a hearing room at the Federal Court, 635 Eight Avenue, S.W., Calgary, Alberta, and shall conclude on or before Friday, February 3<sup>rd</sup>, 2006.

[5] The following schedule for pre-hearing procedures shall be followed:

Tuesday, November 1, 2005 Service of experts' affidavits

Thursday, December 15, 2005 Service of rebuttal affidavits

Thursday, December 22, 2005 Filing of affidavits

Thursday, January 5, 2006 Brief of documents submitted

DATED at Ottawa, this 3rd day of August, 2005.

SIGNED on behalf of the Tribunal by the presiding judicial member.

(s) Sandra J. Simpson

REPRESENTATIVES:

For the applicant:

The Commissioner of Competition

J. Sanderson Graham

For the respondent:

Dosco Group *et al.*

Graham E. Price, Q.C.

Jo'Anne Strekaf