

Competition Tribunal



Tribunal de la Concurrence

OFFICIAL TRANSLATION

Reference: *RONA INC. v. The Commissioner of Competition*, 2005 Comp. Trib. 23

File No.: CT-2003/007

Registry document No.: 0094b

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

AND IN THE MATTER OF the acquisition of Réno-Dépôt Inc. by RONA Inc.;

AND IN THE MATTER OF AN application to vary a consent agreement under subsection 106(1) of the *Competition Act*.

B E T W E E N:

RONA INC.

(Applicant)

and

THE COMMISSIONER OF COMPETITION

(Respondent)

and

ERNST & YOUNG ORENDA CORPORATE FINANCE INC.

(Mis en cause)



Members: Blais J. (presiding), Lemieux J. and Lucille Riedle

Date of order: June 20, 2005

Order signed by: Mr. Justice Pierre Blais, Mr. Justice François Lemieux and Lucille Riedle

ORDER

[1] **GIVEN** the application of the applicant to vary the order of the Competition Tribunal (the “Tribunal”) made on May 30, 2005;

[2] **WHEREAS** the Tribunal is informed by the respondent that it will not appeal the order dated May 30, 2005, and consents to the application;

[3] **WHEREAS** it is in the interest of justice to grant the application and to vary the order made on May 30, 2005, thereby relieving the applicant RONA of its duty to provide inventory reports to the trustee;

[4] **IN ACCORDANCE** with Rules 397 and 369 of the *Federal Court Rules, 1998*;

THE TRIBUNAL ORDERS THAT:

[5] The application of the applicant RONA shall be granted;

[6] The order dated May 30, 2005, shall be amended by adding the following finding to paragraph [130]:

[130] The defendant RONA is relieved of its duty to provide inventory reports to the trustee.

DATED at Ottawa, the 20th day of June 2005.

SIGNED on behalf of the Tribunal by the members of the panel.

(s) Pierre Blais

(s) François Lemieux

(s) Lucille Riedle

APPEARANCES:

For the applicant:

RONA Inc.

William W. McNamara

Eric Lefebvre

Martha A. Healey

Dominique Simard

Denis Gascon

For the respondent:

Commissioner of Competition

Diane Pelletier

Steve Joannis

André Brantz

For the intervenor:

Ernst & Young Orenda Corporate Finance Inc.

Marc-André Boutin

Joseph Jarjour

Louis-Martin O'Neill