



File no.: CT-2005-004

Registry document no.: 0005

IN THE MATTER OF an application by Construx Engineering Corporation for an Order pursuant to section 103.1 of the *Competition Act*, R.S.C. 1985, c. C-34, granting leave to bring an application under sections 75 and 77 of the *Competition Act*;

AND IN THE MATTER OF an application by Construx Engineering Corporation for an Interim Order pursuant to section 104 of the *Competition Act*, R.S.C. 1985, c. C-34;

B E T W E E N :

Construx Engineering Corporation
(applicant)

and

General Motors of Canada Limited
(respondent)



NOTICE PURSUANT TO SUBSECTION 103.1(5) OF THE *COMPETITION ACT*

[1] WHEREAS an application was filed on April 25, 2005 by Construx Engineering Corporation pursuant to subsection 103.1(1) of the *Competition Act*, R.S.C. 1985, c. C-34 (the "Act") for an Order for leave to make an application under sections 75 and 77 of the Act;

[2] AND WHEREAS, pursuant to subsection 103.1(3) of the Act, the Commissioner of Competition certified in a letter filed on May 3, 2005 that this matter is not the subject of an inquiry nor was it the subject of an inquiry that has been discontinued because of a settlement between the Commissioner of Competition and the parties involved;

[3] TAKE NOTICE THAT pursuant to subsection 103.1(5) of the Act, the Competition Tribunal hereby confirms that it can hear the above-mentioned application for leave to make an application under sections 75 and 77 of the Act.

DATED at Ottawa, this 5th day of May, 2005.

(s) Sandra J. Simpson

TO: Donald S. Affleck, Q.C.
Angela Yadav
Solicitors for Construx Engineering Corporation

AND TO: Neil J. MacDonald
General Counsel for General Motors of Canada Limited

AND TO: Richard J. Taylor
for the Commissioner of Competition