

**PUBLIC VERSION
OFFICIAL ENGLISH TRANSLATION**

Citation: *Commissioner of Competition v RONA INC.*, 2005 Comp Trib 1
File No: CT-2003-007
Registry Document No: 102

IN THE MATTER OF the *Competition Act*, RSC 1985, c C-34, and its amendments;

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*.

BETWEEN:

THE COMMISSIONER OF COMPETITION
(moving party)

and

RONA INC.
(responding party)

and

ERNST & YOUNG ORENDA CORPORATE FINANCE INC.
(third party)

Date of hearing by conference call: January 4, 2005

Before: Lemieux J.

Date of order: January 6, 2005

Order signed by: Mr. Justice Lemieux

**ORDER REGARDING THE AMENDED MOTION FILED BY THE COMMISSIONER
OF COMPETITION ON DECEMBER 31, 2004**

[1] FURTHER TO the amended notice of motion filed by the Commissioner of Competition (the “Commissioner”) on December 31, 2004, pursuant to section 38 of the *Competition Tribunal Rules*, SOR/94-290, and their amendments, seeking:

(a) An extension to complete the sale in order to give effect to the September 4, 2003, divestiture order and to restore competition in the retail market for hardware/renovation products in the Sherbrooke area; and

(b) An order for Rona to provide weekly inventory reports to the trustee,
[CONFIDENTIAL].

[2] WHEREAS the moving party, the responding party and the third party, through their respective counsel, have agreed to this order being made by the Tribunal;

[3] AND WHEREAS, subject to the Tribunal’s jurisdiction, it is appropriate to make this order in the circumstances of this case;

THE TRIBUNAL ORDERS THAT:

[4] The period during which the trustee may complete the sale is extended:

a) [CONFIDENTIAL], which is 14 days following the expiry of the period within which RONA may object; or

b) if RONA objects to the sale [CONFIDENTIAL], up to and including the 14th day following the Tribunal’s order requiring RONA to complete the divestiture.

[5] While this Order is in effect, RONA, by consent, will send the trustee the weekly inventory reports relating to the Réno-Dépôt located at 600 Jean-Paul Perreault, which may subsequently be sent to [CONFIDENTIAL], provided that the trustee also sends [CONFIDENTIAL] any additional correspondence from RONA on [CONFIDENTIAL]’s request. The trustee will not otherwise disclose the above-mentioned inventory reports.

DATED at Ottawa, this 6th day of January 2005.

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

(s) François Lemieux

Certified true translation
Johanna Kratz

REPRESENTATIVES

For the moving party:

Diane Pelletier
André Brantz

For the responding party:

Martha A. Healey
Eric Lefebvre

For the third party:

Louis Martin-O'Neil
Joseph Jarjour