

Competition Tribunal



Tribunal de la Concurrence

Reference: *Allan Morgan and Sons Ltd. v. La-Z-Boy Canada Ltd.*, 2004 Comp. Trib. 7

File no.: CT2003009

Registry document no.: 0007

IN THE MATTER OF an application by Allan Morgan and Sons Ltd. for an order pursuant to section 75 of the *Competition Act*, R.S.C. 1985, c. C-34.

B E T W E E N:

Allan Morgan and Sons Ltd.
(applicant)

and

La-Z-Boy Canada Ltd.
(respondent)



Date of conference call: 20040519

Member: Lemieux J. (presiding)

Date of order: 20040520

Order signed by: Lemieux J.

**ORDER SETTING A DATE FOR FILING OF APPLICATION UNDER SECTION 75 OF
THE *COMPETITION ACT***

[1] FURTHER TO an application for leave pursuant to subsection 103.1(1) of the *Competition Act*, R.S.C. 1985, c. C-34 (the “Act”) to make an application under section 75 of that Act;

[2] AND FURTHER TO the Reasons and Order Regarding Application for Leave to Make an Application Under Section 75 of the *Competition Act*, dated January 15, 2004, [2004] C.C.T.D. No. 4 (QL);

[3] AND FURTHER TO subsection 103.1(8) of the Act and the Practice Directions for the Competition Tribunal dated August 30, 2002 (the “Practice Directions”);

[4] AND ON CONSIDERING the submissions of counsel for both the applicant and the respondent at a conference call on May 19, 2004;

THE TRIBUNAL ORDERS THAT:

[5] The applicant shall file its application under section 75 of the Act within 30 days of the date of this order.

[6] The respondent shall file a response within 30 days after the service of the application pursuant to subsection 113(1) of the Practice Directions.

[7] After the expiration of the period for filing a response, the registry of the Competition Tribunal shall contact counsel for the applicant and the respondent to set a date for a case management conference pursuant to section 120 of the Practice Directions.

DATED at Ottawa, this 20th day of May, 2004.

SIGNED on behalf of the Tribunal by the judicial member.

(s) François Lemieux

APPEARANCES

For the applicant:

Allan Morgan and Sons Ltd.

Deborah L.J. Hutchings
Lisa Clarke

For the respondent:

La-Z-Boy Canada Ltd.

Myron W. Shulgan, Q.C.