



Reference: *Commissioner of Competition v. Sears Canada Inc.*, 2003 Comp. Trib. 30
File no.: CT2002004
Registry document no.: 0102

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

AND IN THE MATTER OF an inquiry pursuant to subparagraph 10(1)(b)(ii) of the *Competition Act* relating to certain marketing practices of Sears Canada Inc.;

AND IN THE MATTER OF an application by the Commissioner 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

Sears Canada Inc.
(respondent)



Date of hearing: 20031114
Member: Dawson J. (presiding)
Date of order: 20031114
Reasons signed by: Madam Justice Eleanor R. Dawson

ORDER REGARDING PUBLIC TRANSCRIPT DATED NOVEMBER 12, 2003

[1] FURTHER TO the submissions made by counsel for the Commissioner of Competition and for the respondent, requesting that the public transcript dated November 12, 2003, be kept confidential on the grounds that it contains commercially sensitive information;

[2] AND ON consent of the parties;

[3] AND ON being satisfied that the order is appropriate in this case;

THE TRIBUNAL ORDERS THAT:

[4] The public version of the transcript dated November 12, 2003, shall be removed from the public record and treated as confidential until further notice of the Tribunal.

DATED at Ottawa this 14nd day of November, 2003.

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

(s) Eleanor R. Dawson

APPEARANCES

For the applicant:

The Commissioner of Competition

John L. Syme
Arsalaan Hyder

For the respondent:

Sears Canada Inc.

William W. McNamara
Marvin J. Huberman
Stephen A. Scholtz
Teresa J. Walsh
Abbas Sabur (student-at-law)