

Competition Tribunal



Tribunal de la Concurrence

Reference: *Commissioner of Competition v. Sears Canada Inc.*, 2003 Comp. Trib. 18  
File no.: CT2002004  
Registry document no.: 0062

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)

Decided on the basis of the written record.  
Member: Dawson J. (presiding)  
Date of order: 20031008  
Order signed by: Madame Justice Eleanor R. Dawson



**ORDER TO VARY SCHEDULING ORDER BY EXTENDING TIME FOR EXCHANGE  
OF EXPERT REBUTTAL AFFIDAVITS**

[1] FURTHER TO the Scheduling Order dated May 30, 2003;

[2] AND FURTHER TO the letter from counsel for Sears Canada Inc. dated October 6, 2003, requesting an extension of time for serving its expert rebuttal affidavits;

[3] AND ON consent of the applicant, the Commissioner of Competition;

THE TRIBUNAL ORDERS THAT:

[4] The parties are granted an extension to serve their expert rebuttal affidavits to October 7, 2003.

DATED at Ottawa, this 8<sup>th</sup> day of October, 2003

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

(s) Eleanor R. Dawson

COUNSEL

For the applicant:

The Commissioner of Competition

John L. Syme  
Arsalaan Hyder

For the respondent:

Sears Canada Inc.

William W. McNamara  
Phillip Kennedy  
Martha Healey