

Competition Tribunal



Tribunal de la Concurrence

Reference: *Commissioner of Competition v. P.V.I. International Inc.*, 2001 Comp. Trib. 037
File no.: CT2001001
Registry document no.: 068

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

AND IN THE MATTER OF an inquiry pursuant to subparagraph 10(1)(b)(ii) of the *Competition Act* relating to the marketing practices of P.V.I. International Inc.;

AND IN THE MATTER OF an application by the Commissioner of Competition for an order pursuant to section 74.1 of the *Competition Act*.

B E T W E E N:

The Commissioner of Competition
(applicant)

and

P.V.I. International Inc.
Michael Golka and Darren Golka
(respondents)

Decided on the basis of the written record.
Member: McKeown J. (Chairman)
Date of reasons and order: 20011102
Reasons and order signed by: McKeown J.



ORDER AND REASONS ON MOTION

[1] The motion to allow the Respondents to add new evidence is dismissed.

[2] The motion to allow the Respondents an additional three weeks to file their Closing Statement is allowed in part. The Respondents are allowed until November 12, 2001, to file their Closing Statement.

[3] The Respondents are too late in raising this motion to allow new evidence. The hearing was concluded two months ago and they are seeking to introduce evidence on a point which was in issue. The Applicant has also submitted his final submissions. There must be finality to proceedings. Accordingly, the motion to allow new evidence to be introduced is dismissed.

DATED at Ottawa, this 2nd day of November, 2001.

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

(s) W.P. McKeown

COUNSEL:

For the applicant:

The Commissioner of Competition

John Syme

For the respondents:

P.V.I. International Inc.

Michael Golka and Darren Golka

Michael Golka

Joel Robinson