



Reference: *Commissioner of Competition v. P.V.I. International Inc.*, 2001 Comp. Trib. 30
File no.: CT2001001
Registry document no.: 36

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 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 order: 20010730
Order signed by: McKeown J.



ORDER REGARDING COMPLIANCE WITH SCHEDULING ORDER

[1] FURTHER TO the application brought by the Commissioner of Competition (“Commissioner”) pursuant to section 74.1 of the *Competition Act*, R.S.C. 1985, c. C-34;

[2] AND FURTHER TO the Scheduling Order dated June 13, 2001, and the Order Regarding the Commissioner’s Motion Concerning Discovery Issues dated July 10, 2001 ;

[3] AND ON READING the letters exchanged between Michael Golka, one of the respondents, and counsel for the Commissioner;

THE TRIBUNAL ORDERS THAT:

[4] The respondents shall provide the Commissioner with any expert affidavits by 5:00 p.m. (EDT) on August 1, 2001. Failure to comply with the date set in this order will make any expert reports inadmissible at the hearing.

[5] Furthermore, the respondents shall provide the Commissioner with any “will-say” statements in respect of all non-expert witnesses whom they may call to testify at the hearing by 5:00 p.m. (EDT) on August 3, 2001. Failure to comply with the date set in this order shall have the consequence of denying the respondents of their right to call non-expert witnesses at the hearing, whose “will-say” statements have not been provided to the Commissioner.

DATED at Ottawa, this 30th day of July, 2001.

(s) W.P. McKeown
Chairman

Counsel for the applicant:

The Commissioner of Competition

John Syme

Representatives for the respondents:

P.V.I. International Inc.

Michael Golka and Darren Golka

Michael Golka

Joel Robinson