



Reference: *Commissioner of Competition v. P.V.I. International Inc.*, 2001 Comp. Trib. 16
File no.: CT2001001
Registry document no.: 014

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
Darren Golka
(respondents)



Dates of pre-hearing conference calls: 20010524 and 20010612
Members: McKeown J. (Chairman)
Date of order: 20010613
Order signed by: McKeown J.

SCHEDULING ORDER

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

[2] AND FURTHER TO the consent of the parties with respect to the proposed schedule;

THE TRIBUNAL ORDERS THAT:

[3] The hearing of the application shall take place before the Competition Tribunal sitting at the Federal Court of Canada, 8th floor, Canada Life Building, 330 University Avenue, Toronto, Ontario from Monday, August 20, 2001 at 10:00 a.m. to Friday, August 24, 2001 at noon.

[4] The schedule for pre-hearing procedures shall be as follows:

June 1-30, 2001 The parties shall conduct and complete oral discoveries, if any.

June 26, 2001 Pre-hearing conference by conference call at 3:00 p.m. (EDT), if necessary, to address any procedural issues, including issues in connection with oral discoveries.

July 18, 2001 The parties shall exchange expert affidavits pursuant to s. 47 of the Rules.

July 20, 2001 The parties shall serve any notices required under the *Canada Evidence Act*, or otherwise.

August 3, 2001 The parties shall exchange rebuttal expert affidavits pursuant to s. 47 of the Rules.

August 3, 2001 The parties shall exchange "will-say" statements in respect of all non-expert witnesses who they may call to testify.

August 10, 2001 The parties shall file joint books of documents and make all other requisite filings with the Tribunal.

[5] Additional pre-hearing conferences may be scheduled by the Tribunal, either on its own initiative or at the request of the parties upon proper notice, to address, among other things, confidentiality issues, issues arising out of discoveries, including claims regarding privilege, and other matters pertaining to the conduct of the proceeding.

DATED at Ottawa, this 13th day of June, 2001.

(s) W.P. McKeown
Chairman

APPEARANCES:

For the applicant:

The Commissioner of Competition

John Syme

For the respondents:

P.V.I. International Inc.

Michael Golka

Darren Golka

Michael Golka

Joel Robinson