



CT-1995/002 – Doc # 106

IN THE MATTER OF an application by the Director of Investigation and Research under sections 79 and 105 of the *Competition Act*, R.S.C. 1985, c. C-34;

AND IN THE MATTER OF an abuse of dominant position in the supply of shared electronic network services for consumer-initiated shared electronic financial services;

AND IN THE MATTER OF a Consent Order granted by the Competition Tribunal dated June 20, 1996;

AND IN THE MATTER OF an application by Bank of Montreal et al., under sections 105 and 106(b) of the *Competition Act*, R.S.C. 1985, c. C-34, to vary the Consent Order granted by the Competition Tribunal dated June 20, 1996.

B E T W E E N:

Bank of Montreal
The Bank of Nova Scotia
Canada Trustco Mortgage Company
Canadian Imperial Bank of Commerce
La Confédération des caisses populaires et
d'économie Desjardins du Québec
Credit Union Central of Canada
National Bank of Canada
Royal Bank of Canada
The Toronto-Dominion Bank
Interac Inc.

Applicants

- and -

The Director of Investigation and Research

Respondent



SCHEDULING ORDER

COMPETITION TRIBUNAL
SCHEDULING ORDER

Bank of Montreal et al.

v.

The Director of Investigation and Research

FURTHER TO section 79 of the *Competition Tribunal Rules*;

AND FURTHER TO the submissions of the parties with respect to scheduling;

AND CONSIDERING the submissions of the parties regarding the appropriate manner for effecting notice of the February 11, 1998 application to vary on consent ("consent variation application") the Tribunal's June 20, 1996 Consent Order ("Consent Order") to persons that might reasonably be expected to be affected by the consent variation application;

THE TRIBUNAL ORDERS THAT:

1. The parties shall, by February 20, 1998, provide to all intervenors in the proceedings leading to the Consent Order, a memorandum notifying them of the consent variation application. The parties shall append to that memorandum a copy of the consent variation application, the materials filed in support of the consent variation application and a copy of this order. The parties shall, by February 20, 1998, file proof of having effected this notice.
2. The parties shall, by February 20, 1998, provide to all direct connectors and indirect connectors, as defined in section 1 of the Consent Order, a memorandum notifying the direct connectors and indirect connectors of the consent variation application. The memorandum shall include a brief description of the consent variation application and shall indicate the deadlines for

filing comments and requests for leave to intervene and that the consent variation application and accompanying documents may be examined at the office of the Registrar. The parties shall, by February 20, 1998, file proof of having effected this notice.

3. The hearing of the consent variation application shall be held on April 2, 1998 at 10:00 a.m. in the hearing room of the Tribunal at 90 Sparks Street, Ottawa, Ontario.

4. The following schedule for pre-hearing procedures shall be observed:

March 11, 1998 Deadline for comments or requests for leave to intervene

March 23, 1998 Responses to comments and requests for leave to intervene served and filed

March 25, 1998 Pre-hearing conference re requests for leave to intervene

5. It shall be understood that the Tribunal will, by March 18, 1998, provide the parties with any questions it has in relation to the consent variation application. The parties shall file written answers to those questions by March 25, 1998. This shall not foreclose the possibility that further questions may arise and will be put to the parties at the earliest convenient time.

DATED at Toronto, this 13th day of February, 1998.

(s) W.P. McKeown

Chairman