

THE COMPETITION TRIBUNAL

CT-95/02

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, as amended;

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, as amended, to vary the Consent Order granted by the Competition Tribunal dated June 20, 1996.

BETWEEN:

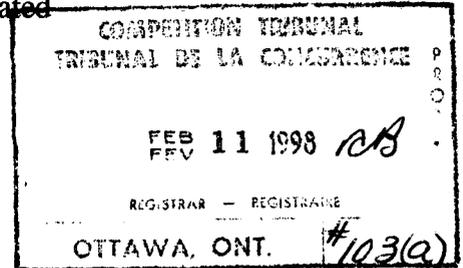
**Bank of Montreal
The Bank of Nova Scotia
Canada Trustco Mortgage Company
Canadian Imperial Bank of Commerce
La Confédération des caisses populaires et
d'économie Desjardins du Quebec
Credit Union Central of Canada
National Bank of Canada
Royal Bank of Canada
The Toronto-Dominion Bank
Interac Inc.**

Applicants

- and -

The Director of Investigation and Research

Respondent



NOTICE OF APPLICATION FOR AN ORDER TO VARY CONSENT ORDER

1. TAKE NOTICE that the Applicants hereby apply for an Order varying the Consent Order of the Competition Tribunal dated June 20, 1996, as more particularly set out in the attached Draft Consent Order.

2. AND FURTHER TAKE NOTICE that this application is brought by consent pursuant to sections 105 and 106(b) of the *Competition Act*, R.S.C. 1985, c. 19(2nd Supp) as amended, and the *Competition Tribunal Rules*.

3. AND FURTHER TAKE NOTICE that the grounds upon which the Application is brought is that the Director of Investigation and Research and the Applicants have, through their counsel, consented to the granting of the within Order.

4. AND FURTHER TAKE NOTICE that the parties are available for a conference call, at the Tribunal's convenience, to establish a schedule for the disposition of this application.

5. AND FURTHER TAKE NOTICE that the parties would be prepared to have the application dealt with by the Tribunal without the necessity of a hearing.

6. AND FURTHER TAKE NOTICE that reference may be made to the Statement of Grounds and Material Facts, the Consent Order Impact Statement, the Affidavit of Fred J. Harris, the Draft Consent Order and the Consent Form, filed herewith, and to such further and additional material as counsel deem appropriate and as this Tribunal may allow.

DATED at Toronto, Ontario this 7th day of February, 1998.



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TO: The Registrar of the Competition Tribunal

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