



CT-1996/002 – Doc # 173a

IN THE MATTER OF an application by the Director of Investigation and Research for orders pursuant to section 92 of the *Competition Act*, R.S.C. 1985, c. C-34;

AND IN THE MATTER OF the merger whereby CP Containers (Bermuda) Limited acquired certain assets held by The Cast Group Limited and of the acquisition by 3041123 Canada Inc. of all the shares of Cast North America Inc. by way of agreements entered into between or among Royal Bank of Canada, The Cast Group Limited, 3041123 Canada Inc., CP Containers (Bermuda) Limited and Canadian Pacific Limited.

B E T W E E N:

The Director of Investigation and Research

Applicant

- and -

Canadian Pacific Limited  
Canada Maritime Limited  
CP Containers (Bermuda) Limited  
3041123 Canada Inc.  
Cast North America Inc.  
Royal Bank of Canada

Respondents

- and -

Montreal Port Corporation

Intervenor



**ORDER ADJOURNING DISCOVERY AND SCHEDULING MATTERS**

---

**Date of Pre-hearing Conference:**

August 7, 1997

**Member:**

McKeown J. (presiding)

**Counsel for the Applicant:**

**Director of Investigation and Research**

Robert S. Russell  
Adam F. Fanaki

**Counsel for the Respondents:**

**Canadian Pacific Limited  
Canada Maritime Limited  
CP Containers (Bermuda) Limited  
3041123 Canada Inc.  
Cast North America Inc.**

Jeffrey W. Galway  
Brenda Hollingsworth

Royal Bank of Canada

Peter L. Roy  
David F. O'Connor

**Counsel for the Intervenor:**

**Montreal Port Corporation**

Gil Rémillard

**COMPETITION TRIBUNAL**  
**ORDER ADJOURNING DISCOVERY AND SCHEDULING MATTERS**

---

*The Director of Investigation and Research*

v.

*Canadian Pacific Limited et al.*

FURTHER TO the notice of motion filed by the Director and made returnable at the special pre-hearing conference on August 7, 1997, seeking relief relating to discovery issues and scheduling;

AND FURTHER TO the memoranda of argument filed by CP and RBC opposing the hearing of the Director's motion on August 7, 1997;

AND UPON hearing the submissions of counsel;

AND CONSIDERING THAT issues related to discovery matters are scheduled to be heard at a pre-hearing conference scheduled for September 15-16, 1997;

THE TRIBUNAL ORDERS THAT:

1. The portion of the Director's notice of motion which concerns issues related to discovery matters is adjourned to September 15-16, 1997.

2. The portion of the Director's notice of motion which concerns the scheduled date for the commencement of the hearing of the application shall be heard on September 29, 1997.

DATED at Quebec, this 14<sup>th</sup> day of August, 1997.

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

(s) W.P. McKeown

W.P. McKeown