



CT-1996/002 – Doc # 162a

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 OF SIMPSON J. DATED JULY 29, 1997 ADJOURNING,
ON CONSENT, THE MOTIONS BROUGHT BY THE DIRECTOR OF
INVESTIGATION AND RESEARCH AND THE ROYAL BANK OF CANADA
CONCERNING THE NEED FOR FURTHER AND BETTER AFFIDAVITS OF
DOCUMENTS TO SEPTEMBER 15, 1997**

Date of Pre-hearing Conference:

July 29, 1997

Member:

Simpson J. (presiding)

Counsel for the Applicant:

Director of Investigation and Research

Adam F. Fanaki
Benjamin T. Glustein

Counsel for the Respondents:

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

Neil R. Finkelstein
Brenda Hollingsworth
Rocco Di Pucchio
Russell Cohen

Royal Bank of Canada

Peter L. Roy
Annie M. Finn

Counsel for the Intervenor:

Montreal Port Corporation

Pierre Grenier

**COMPETITION TRIBUNAL
ORDER OF SIMPSON J. DATED JULY 29, 1997 ADJOURNING, ON CONSENT,
THE MOTIONS BROUGHT BY THE DIRECTOR OF INVESTIGATION AND
RESEARCH AND THE ROYAL BANK OF CANADA CONCERNING THE NEED
FOR FURTHER AND BETTER AFFIDAVITS OF
DOCUMENTS TO SEPTEMBER 15, 1997**

The Director of Investigation and Research

v.

Canadian Pacific Limited et al.

UPON being advised in oral submissions by counsel for the Director of Investigation and Research and counsel for the Royal Bank of Canada that the issues raised in their respective motions concerning further and better affidavits of documents are nearly resolved;

THE TRIBUNAL ORDERS THAT, on consent, these motions are adjourned to the pre-hearing conference scheduled to commence on September 15, 1997 in Ottawa, Ontario.

DATED at Toronto, this 29th day of July, 1997.

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

(s) Sandra J. Simpson
Sandra J. Simpson