



CT-1996 / 002 – Docn # 82a

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 CONFIDENTIALITY MATTERS

Date of Pre-hearing Conference:

April 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.**

Mark C. Katz
Brenda Hollingsworth

Royal Bank of Canada

Peter L. Roy
Annie M. Finn

COMPETITION TRIBUNAL
ORDER ADJOURNING CONFIDENTIALITY MATTERS

The Director of Investigation and Research

v.

Canadian Pacific Limited et al.

FURTHER TO the notices of motion filed by the parties for the pre-hearing conference on April 7, 1997;

AND FURTHER TO the request by the Director of Investigation and Research (“Director”) to adjourn the matters relating to an interim confidentiality order to April 25, 1997 because of the confidentiality concerns of third parties who have provided documents to the Director;

AND ON CONSIDERING THAT there will be no delay arising from the adjournment as the exchange of documents is scheduled to be completed on April 28, 1997, the request is not opposed by any party and the Director has withdrawn the remainder of his motion seeking a further and better affidavit of documents from the respondents Canadian Pacific Limited et al.;

THE TRIBUNAL ORDERS THAT:

1. The matters raised by the parties in their motions relating to an interim confidentiality order shall be adjourned to April 25, 1997.

2. Third parties that have provided documents to the Director may file written submissions setting out their concerns about the confidentiality of their documents in light of the interim confidentiality order requested by the Director in his motion. Any submissions shall be served on all parties and the intervenor and filed by April 15, 1997.

DATED at Toronto, this 8th day of April, 1997.

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

(s) W.P. McKeown
W.P. McKeown