



CT - 1996 / 001 – Doc # 187

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 Dennis Washington and K & K Enterprises acquired a significant interest in, and propose to acquire control of, Seaspan International Ltd.;

AND IN THE MATTER of the merger whereby Dennis Washington acquired Norsk Pacific Steamship Company, Limited;

B E T W E E N:

The Director of Investigation and Research

Applicant

- and -

Dennis Washington
K & K Enterprises
Seaspan International Ltd.
Genstar Capital Corporation
TD Capital Group Ltd.
Coal Island Ltd.
314873 B.C. Ltd.
C.H. Cates and Sons Ltd.
Management Shareholders
Preference Shareholders
Norsk Pacific Steamship Company, Limited
Fletcher Challenge Limited

Respondents



ORDER GRANTING LEAVE TO AMEND APPLICATION

Decided on the basis of the written record.

Member:

McKeown J.

Counsel for the Applicant:

Director of Investigation and Research

John S. Tyhurst

Counsel for the Respondents:

**Dennis Washington
K & K Enterprises
C.H. Cates and Sons Ltd.
Norsk Pacific Steamship Company, Limited
Seaspan International Ltd.**

Douglas G. Morrison

Fletcher Challenge Limited

Nando De Luca

COMPETITION TRIBUNAL
ORDER GRANTING LEAVE TO AMEND APPLICATION

Director of Investigation and Research

v.

Dennis Washington et al.

FURTHER TO the motion by the Director of Investigation and Research for an order granting leave to amend her application;

AND FURTHER TO the draft Second Amended Notice of Application served and filed on December 12, 1996;

AND ON CONSENT of the respondents Dennis Washington, K&K Enterprises, Seaspan International Ltd., C.H. Cates and Sons Ltd., Norsk Pacific Steamship Company, Limited and Fletcher Challenge Limited;

AND ON CONSIDERING that the motion has not been contested by any other respondent;

THE TRIBUNAL ORDERS THAT the motion to amend the notice of application in the manner indicated is granted. The Second Amended Notice of Application shall be considered served and filed as of December 17, 1996.

DATED at Ottawa, this 17th day of December, 1996.

SIGNED on behalf of the Tribunal by the presiding judge.

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