



CT - 1996 / 001 – Doc # 112

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, Seaspac 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
Seaspac 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 AMENDING CONFIDENTIALITY (PROTECTIVE) ORDER

Date of Conference Call:

August 15, 1996

Member:

Rothstein J. (presiding)

Counsel for the Applicant:

Director of Investigation and Research

William J. Miller
Ann Wallwork

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
Sharon Dos Remedios

Genstar Capital Corporation

Robyn M. Bell

TD Capital Group Ltd.

Bradley P. Martin

Fletcher Challenge Limited

Harry B. Radomski

Nando DeLuca

COMPETITION TRIBUNAL

ORDER AMENDING CONFIDENTIALITY (PROTECTIVE) ORDER

The Director of Investigation and Research

v.

Dennis Washington et al.

FURTHER TO the Confidentiality (Protective) Order dated August 12, 1996;

AND FURTHER TO the agreement of all parties as indicated by the letter filed on August 19, 1996 by counsel for the Director of Investigation and Research;

THE TRIBUNAL ORDERS THAT:

The following text shall be added to paragraph 4 of the Confidentiality (Protective) Order:

"(4) Each of the foregoing classes of documents may be used, by the agreement of counsel, in the actual course of questioning witnesses of any party or interest at oral discovery, subject to such other or further order or direction that the Tribunal may make."

DATED at Ottawa, this 19th day of August, 1996.

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

(s) Marshall Rothstein
Marshall Rothstein