



Date: September 10, 2018

Subject: CT-2016-015 - *Commissioner of Competition v Vancouver Airport Authority*

Direction to Counsel (from Mr. Justice Gascon, Chairperson)

As the parties are aware and as is the usual practice in proceedings before the Tribunal, the hearing scheduled to start on October 2, 2018 will proceed using the chess-clock method of managing the hearing time. Given the total time set aside for the hearing (i.e., 12 days for the evidentiary portion and 3 days for argument), the Tribunal directs as follows:

1. The Tribunal typically allocates 4.5 hours per hearing day to the parties, with some additional time set aside for panel questions and procedural or housekeeping matters.
2. The total time available to the parties for the evidentiary portion of the hearing is therefore 12 days x 4.5 hours per day, for a total of 54 hours. The allotted time will be evenly split between the two parties, and each party will therefore have a total of 27 hours for the evidentiary portion of the hearing.
3. The total time available for the argument portion of the hearing is 3 days x 4.5 hours per day, for a total of 13.5 hours, which the Tribunal rounds up to 14 hours. The allotted time will be evenly split between the two parties, and each party will therefore have a total of 7 hours for the argument portion of the hearing.
4. The hearing days will typically be as follows:
 - a. 9:30 am Hearing starts
 - b. 11:00 am 20-minute health break
 - c. 1:00 pm 75-minute lunch break
 - d. 2:15 pm Hearing resumes
 - e. 3:30 pm 15-minute health break
 - f. 4:45 pm Hearing ends.
5. For the fourth week of hearing in Vancouver, the hearing will end at 3:00 pm on Friday, November 2, 2018, and the hearing time (approximately 1.5 hours) which will be lost because of this early adjournment will be reallocated to the three other scheduled hearing days in Vancouver, or to the hearing days scheduled on October 15 and 16 in Ottawa. The parties shall consult with each other and indicate their preference to the Tribunal on or before Friday, September 28, 2018.
6. The time for the health and lunch breaks are indicative only and it will be up to counsel who will be examining / cross-examining / arguing at that time to indicate the appropriate moment at which to break around those indicative times. The panel will also have some flexibility to slightly extend the hearing beyond the scheduled closing time of 4:45 pm, if the length of panel questions or particular circumstances justify it.

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