

Competition Tribunal



Tribunal de la concurrence

Registry Document No.: 103

Date: August 2, 2022

Matter: CT-2022-002 – *Commissioner of Competition v Rogers Communications Inc. and Shaw Communications Inc.*

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

Re: Scheduling of Certain Motions

As contemplated at the Case Management Conference on Friday, July 29, 2022, the Tribunal directs as follows:

1. The respondents' motion concerning the Commissioner's Level A confidentiality designations and the Commissioner's motion to amend the Confidentiality Order (if necessary) will be heard on Wednesday, August 10, 2022, starting at 10:00 a.m. ET by videoconference. An email with a videoconference link will follow.

With all parties' and participants' agreement, the following events shall lead up to this hearing:

August 3 – Non-parties (including Bell, TELUS, Distributel and TekSavvy) to serve additional affidavits, if any, by no later than 12:00 noon ET.

August 4 – Cross-examinations

August 6 – Rogers/Shaw to serve written submissions, by no later than 5:00 p.m. ET.

August 8 – Commissioner and non-party participants to serve written submission, by no later than 12:00 noon ET.

August 9 – Rogers/Shaw to serve reply submissions, if necessary, by no later than 5:00 p.m. ET.

Participants are directed to file materials with the Tribunal promptly after service.

2. The motions (a) by the respondents concerning certain challenges to the Commissioner's claims of litigation privilege in his affidavit of documents and (b) by the Commissioner for further and better affidavits of documents from Rogers and from Shaw will be heard on Monday, August 15, 2022, starting at 10:00 a.m. ET by videoconference. An email with a videoconference link will follow.

Unless the Tribunal directs otherwise at the request of one or more parties, additional filings for these motions shall occur as follows:

For the Commissioner's motions, respondents' responding motion records (if any) may be served and filed by Friday, August 5, 2022, at 12:00 noon ET.

For all motions, the respective moving parties' written submissions shall be served and filed by Wednesday, August 10, 2022, at 12:00 noon ET.

For all motions, written submissions in response (if any) shall be served and filed by Friday, August 12, 2022, at 2:00 p.m. ET.

Sara Pelletier
Registry Officer
Competition Tribunal
600-90 Sparks, Ottawa ON K1P 5B4
Tel.: 613-574-0140