

Competition Tribunal



Tribunal de la concurrence

Citation: *Canada (Commissioner of Competition) v Cineplex Inc.*, 2023 Comp Trib 05
File No.: CT-2023-003
Registry Document No.: 17

IN THE MATTER OF an application by the Commissioner of Competition for one or more orders under sections 74.01 and 74.1 of the *Competition Act*, RSC 1985, c C-34 as amended.

BETWEEN:

Commissioner of Competition
(applicant)

and

Cineplex Inc.
(respondent)



Date of case management conference: July 27, 2023
Before: Mr. Justice Andrew D. Little (Chairperson)
Date of order: August 31, 2023

SCHEDULING ORDER

The Tribunal will have a judicial member available on dates and at times to be agreed to with counsel for the Parties to rule on objections arising during the examinations for discovery

Tuesday, November 14, 2023

Deadline for fulfilling answers to discovery undertakings

Thursday, November 16, 2023

Case Management Conference (if required)

Monday, November 20, 2023

Deadline for filing any motions arising from examinations for discovery, answers to undertakings or refusals

Tuesday, November 28, 2023

Hearing of any motions arising from examinations for discovery, answers to undertakings or refusals

Friday, December 1, 2023

Parties to exchange proposed Agreed Statements of Fact

Deadline to serve and file Requests to Admit

Thursday, December 7, 2023

Last day for follow-up examinations for discovery arising from undertakings given

Friday, December 8, 2023

Case Management Conference (if required)

Friday, December 15, 2023

Deadline for responding to any Requests to Admit

Monday, January 8, 2024

Applicant to serve documents relied upon and witness statements

Applicant to serve and file expert report(s), if any

Applicant to serve list of documents proposed to be admitted without proof, if any

Witness statements and experts reports to include confidentiality designations; confidentiality designations shall be supported by affidavit evidence justifying confidentiality designations, and the affidavit evidence shall be filed with the Tribunal

Friday, January 12, 2024

Respondent to serve documents relied upon and witness statements.

Respondent to serve and file expert report(s), if any, on all matters

Witness statements and expert reports to include

	confidentiality designations; confidentiality designations shall be supported by affidavit evidence justifying confidentiality designations, and the affidavit evidence shall be filed with the Tribunal
Wednesday, January 17, 2024	Deadline for Parties to exchange Mediation Briefs and to deliver them to the Mediator via the Tribunal Registry
Monday, January 22, 2024	Mediation
Monday, January 29, 2024	Applicant to serve reply documents relied upon and reply witness statements Applicant to serve and file reply expert report(s), if any Reply witness statements and expert reports to include confidentiality designations; confidentiality designations shall be supported by affidavit evidence justifying confidentiality designations, and the affidavit evidence shall be filed with the Tribunal
Friday, February 2, 2024	Deadline for filing any motions related to the evidence (documents relied upon, witness statements and expert reports, and confidentiality designations) Deadline to provide witness statements to the Tribunal
Monday, February 5, 2024	Noon (12 pm) deadline to provide documents to the Tribunal for use at the hearing (e.g., Agreed Books of Documents and Joint Briefs of Authorities), including read-ins from examinations for discovery Deadline for delivering any Agreed Statement of Facts
Wednesday, February 7, 2024	Hearing of any motions related to the evidence (documents relied upon, witness statements and expert reports, and confidentiality designations) The Tribunal will also hear Parties' submissions on their respective proposed confidentiality designations to determine whether they should be maintained
Friday, February 9, 2024	Pre-hearing Case Management Conference (if required)

[6] The evidentiary portion of the hearing of the Application shall commence at 10:00 am on Wednesday, February 14 and conclude on Wednesday, February 21, 2024, in person in the Hearing Room of the Tribunal located at 600-90 Sparks Street, Ottawa. The Tribunal will not sit on Monday, February 19, 2024.

[7] Parties will serve and file written argument as directed by the Tribunal (but no later than noon on Monday, February 26, 2024). The Tribunal will hear oral argument on Wednesday, February 28th and Thursday, February 29, 2024, in person in the Hearing Room of the Tribunal located at 600-90 Sparks Street, Ottawa.

DATED at Ottawa this 31st day of August 2023

SIGNED on behalf of the Tribunal by the Chairperson.

(s) Andrew D. Little

COUNSEL OF RECORD:

For the applicant:

Commissioner of Competition

Jonathan Hood
Irene Cybulsky
Adam Newman

For the respondent:

Cineplex Inc.

Robert S. Russell
Martin Abadi
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