



Registry Doc. No.: 56

Date: February 9, 2024**Matter:** CT-2023-003 – *Commissioner of Competition v Cineplex Inc.***Direction to Counsel (from Justice Little, Chairperson)****Re:** Chess clock and Sitting times

As the parties are aware and as is the usual practice in proceedings before the Tribunal, the hearing scheduled to commence on February 14, 2024 will proceed using the chess-clock method of managing the hearing time, detailed in the Tribunal's Notice on "Chess Clock" Proceedings. Given the total time set aside for the hearing (i.e., 5 days for the evidentiary portion and 2 days for final oral argument), the Tribunal directs as follows:

1. As it does in all of its proceedings, the Tribunal assumes that the hearing time is divided equally between the parties. This means that each party has been allotted 2.5 days for the evidentiary portion of the hearing (including both fact witnesses and expert witnesses), and 1 day for final oral argument.
2. The Tribunal typically allocates 4.5 hours per hearing day to the parties, with approximately 1 hour daily for Tribunal questions, and procedural / housekeeping matters.
3. The total time available to the parties for the evidentiary portion of the hearing is therefore 5 days x 4.5 hours per day, for a total of 22.5 hours. The allotted time will be evenly divided between the two parties, and each party will therefore have a total of 11.25 hours for the evidentiary portion of the hearing. This evidentiary portion includes time that a party may wish to spend on an opening statement.
4. The total time available for the oral argument portion of the hearing is 2 days x 4.5 hours per day, for a total of 9 hours. The allotted time will be evenly divided between the two parties, and each party will therefore have a total of 4.5 hours for the final oral argument portion of the hearing.
5. The hearing days will typically be as follows (all times are Ottawa EST time) :
 - a. 9:30 am Hearing starts
 - b. 11:00 am 20-minute health break

- c. 11:20 am Hearing resumes
 - d. 12:50 pm 80-minute lunch break
 - e. 2:10 pm Hearing resumes
 - f. 3:30 pm 20-minute health break
 - g. 3:50 pm Hearing resumes
 - h. 5:00 pm Hearing ends.
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 determine the appropriate moment at which to break around those indicative times.
7. The Tribunal will not sit on Monday, February 19, 2024.

Annie Ruhlmann
Team Lead – Registry Services of the Competition Tribunal
600-90 Sparks, Ottawa ON K1P 5B4
Tel.: 613-941-2440