

Competition Tribunal



Tribunal de la concurrence

Citation: *Commissioner of Competition v Canada's Wonderland Company*, 2025 Comp Trib 13

File No.: CT-2025-001

Registry Document No.: 14

IN THE MATTER OF the *Competition Act*, RSC 1985, c C-34 as amended;

AND IN THE MATTER OF an application by the Commissioner of Competition for an order pursuant to section 74.1 of the *Competition Act* regarding conduct reviewable pursuant to paragraph 74.01(1)(a) and as clarified for greater certainty by subsection 74.01(1.1) of the *Competition Act*;

BETWEEN:

Commissioner of Competition
(applicant)

and

Canada's Wonderland Company
(respondent)



Date of case management conference: August 13, 2025

Before: Madam Justice J. Gagné (Presiding Member)

Date of order: August 13, 2025

SCHEDULING ORDER

[1] **FURTHER TO** an application filed by the Commissioner of Competition (the “Applicant”) on May 5, 2025, against Canada’s Wonderland Company (the “Respondent”; collectively, the “Parties”), for an order pursuant to section 74.1 of the *Competition Act*, RSC, c C-34, as amended (the “Application”);

[2] **AND CONSIDERING** the Tribunal’s *Practice Direction Regarding Timelines and Scheduling for Proceedings before the Tribunal* (the “Timelines Direction”);

[3] **AND CONSIDERING** the Parties’ proposed joint schedule dated July 10, 2025, for the pre-hearing steps and the hearing of the Application; and the discussions that took place during a Case Management Conference held on August 13, 2025;

[4] **AND BEING SATISFIED** that the schedule in this Order is appropriate and respects the principles found in subsection 9(2) of the *Competition Tribunal Act*, RSC 1985, c 19 (2nd supp), which direct the Tribunal to deal with all matters as informally and expeditiously as the circumstances and considerations of fairness permit, as well as the Timelines Direction;

THE TRIBUNAL ORDERS THAT:

[5] The schedule for the discovery and pre-hearing disclosure steps of the Application shall be as follows:

Friday, October 17, 2025	Service of Affidavits of Documents and delivery of documents by both Parties
Monday, October 27, 2025	Deadline for filing any motions arising from Affidavits of Documents and/or productions, including motions challenging claims of privilege
Thursday, November 13, 2025	Hearing of any motions arising from Affidavits of Documents, productions and/or claims of privilege
Thursday, December 4, 2025	Deadline for delivery of any additional productions resulting from any Affidavits of Documents, productions and/or claims of privilege motions
Tuesday, December 9, 2025 – Friday, December 19, 2025	Examinations for discovery according to a schedule to be settled between counsel
	Counsel for each Party shall have a maximum of two (2) days to conduct oral examination for discovery of a representative of the other Party
	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

Monday, January 26, 2026	Deadline for fulfilling answers to discovery undertakings
Friday, February 6, 2026	Deadline for filing any motions arising from examinations for discovery, answers to undertakings or refusals
Friday, February 13, 2026	Deadline for Parties to exchange Mediation Briefs and to deliver them to the Mediator via the Tribunal Registry
Tuesday, February 17, 2026	Hearing of any motions arising from examinations for discovery, answers to undertakings or refusals
Wednesday, February 25, 2026	Mediation
Tuesday, March 3, 2026	Deadline for Parties to deliver any additional undertakings ordered
Monday, March 9, 2026	Last day for follow-up examinations for discovery arising from undertakings given
Friday, March 27, 2026	Deadline to serve and file any Requests to Admit
Friday, April 17, 2026	Deadline to serve responses to any Requests to Admit
Monday, April 27, 2026	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 further proof, if any
	Witness statements and expert report(s) 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
Tuesday, June 23, 2026	Respondent to serve documents relied upon and witness statements
	Respondent to serve and file expert report(s), if any
	Witness statements and expert report(s) 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, July 17, 2026	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 report(s) 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, July 24, 2026	Parties to exchange proposed Agreed Statements of Fact
Monday, July 27, 2026	Pre-hearing Case Management Conference (if required)
Friday, July 31, 2026	Noon (12pm) 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 Agreed Statement of Facts
	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
Tuesday, August 25, 2026	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

[6] Unless the parties and the Tribunal agree otherwise, the Tribunal shall hear all motions virtually;

[7] The evidentiary portion of the hearing of the Application shall be held in person, in Toronto, Ontario, at a location to be determined. The hearing shall commence at 10:00 am on Monday, September 14, 2026, and conclude on Friday, September 18, 2026;

[8] Parties will serve and file written argument as directed by the Tribunal (but no later than noon on Monday, September 28, 2026). The Tribunal will hear oral argument on Monday, October 5, and Tuesday, October 6, 2026, in person, in Toronto, Ontario.

DATED at Ottawa this 13th day of August, 2025

SIGNED on behalf of the Tribunal by the Presiding Member.

(s) Jocelyne Gagné

COUNSEL OF RECORD:

For the applicant:

Commissioner of Competition

Jonathan Hood
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For the respondent:

Canada's Wonderland Company

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