



COMPETITION TRIBUNAL  
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FRED DIONNE LÉGAL INC.  
DROIT DES AFFAIRES / BUSINESS LAW

Me Frédéric Dionne  
Direct Line: 514.995.5334  
fred@fredlegal.com

March 11, 2026

BY EMAIL

**Registrar of Competition**

[tribunal@tribunal.gc.ca](mailto:tribunal@tribunal.gc.ca)

90 Sparks Street, Suite 300  
Ottawa, ON, K1P 5B4

Dear Registrar:

**Re: 8X Labs Inc. v Vistar Media, Inc. – CT-2025-006 (the “Proceeding”)  
Additional Agenda Item for Case Management Conference – March 12,  
2026**

We are co-counsel to 8X Labs Inc. (“**8X**” or the “**Applicant**”), in the Proceeding. The counsel of the respondent Vistar Media Inc. (“**Vistar**” or the “**Respondent**”) has been served with a copy of this letter. We respectfully ask that this letter be brought to the attention of the Honourable Justice Little in advance of the Case Management Conference (“**CMC**”) scheduled for March 12, 2026.

We write pursuant to the Tribunal’s Direction dated March 9, 2026 (Registry Document No. 36), which invites the parties to advise the Registry of any additional issues they would like to discuss at the CMC at least 24 hours in advance. The Applicant respectfully requests that the following additional item be added to the agenda for the CMC:

**Additional Evidence of the Applicant Following the Tribunal’s Authorization under Rule 119(3)**

- A. By its Order dated 24 February 2026 (*8X Labs Inc. v Vistar Media Inc.*, 2026 Comp Trib 8, Registry Document No. 34), the Tribunal authorized the Respondent to adduce responding evidence pursuant to Rule 119(3) of the *Competition Tribunal Rules*, SOR/2008-141, by filing executed versions of the draft Mitchell Affidavit and the draft Fraser Affidavit. In light of this authorization, the Applicant respectfully submits that it should be permitted to file a supplemental affidavit and updated evidence in reply to the Respondent’s authorized evidence, in order to ensure that the record before the Tribunal is complete and that the Applicant has a full and fair opportunity to respond to the matters raised by the Respondent’s evidence.

Specifically, the Applicant anticipates seeking the Tribunal's directions at the CMC with respect to: (i) the procedure and timetable for the filing of a supplemental affidavit from an existing deponent in reply to the Respondent's Rule 119(3) evidence; (ii) the procedure for filing a video exhibit forming part of that supplemental affidavit; and (iii) the question of whether the supplemental affidavit and video exhibit will be subject to the confidentiality order currently under discussion between the parties and the Tribunal.

The Applicant is available to discuss this matter at the CMC and will be prepared to address the Tribunal's questions or concerns regarding the proposed procedure for filing the supplemental evidence.

Should the Tribunal have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,

**Fred Dionne Légal Inc.**



By:

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Frédéric Dionne

cc : **Bennett Jones LLP**  
Dylan Yegendorf  
Emrys Davis  
Ethan Schiff

**LCM Lawyers Inc.**  
Sébastien Caron  
David Quesnel