



Reference: *B-Filer Inc. v. The Bank of Nova Scotia*, 2006 Comp. Trib. 11
File No.: CT-2005-006
Registry Document No.: 0092

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

AND IN THE MATTER OF an application by B-Filer Inc., B-Filer Inc. doing business as GPAY GuaranteedPayment and Npay Inc. for an order pursuant to section 75 of the *Competition Act*.

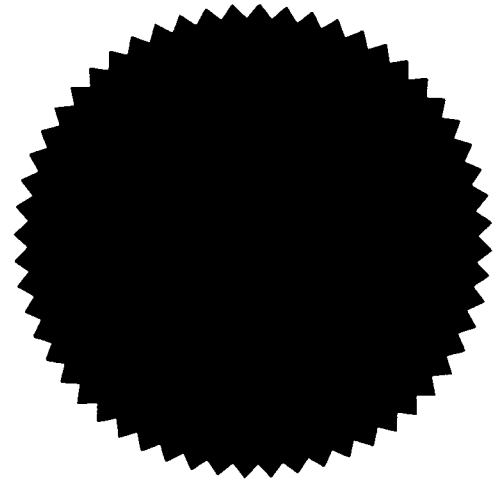
B E T W E E N :

B-Filer Inc., B-Filer Inc. doing business as GPAY GuaranteedPayment and Npay Inc.
(applicants)

and

The Bank of Nova Scotia
(respondent)

Hearing by conference call: 13022006
Judicial Member: Simpson J. (Chairperson)
Date of Order: February 17, 2006
Order signed by: Madam Justice Sandra J. Simpson



AMENDED HEARING ORDER

- [1] FURTHER to a conference call held with the parties on February 13, 2006, in which new counsel for the applicants advised that, in his view, four weeks (rather than two) were needed for the hearing of the application made under section 75 of the *Competition Act*, R.S.C. 1985, c. C-34;
- [2] AND FURTHER to a letter dated February 17, 2006, from counsel for the respondent indicating that all parties are available on the hearing dates described below;
- [3] AND UPON all parties agreeing to participate in an electronic hearing of the application.

THE TRIBUNAL ORDERS THAT:

- [4] The hearing of the section 75 application will commence at 10 a.m. on Monday, August 28, 2006 in the Competition Tribunal's Hearing Room at 600-90 Sparks Street, Ottawa, Ontario.
- [5] The hearing will proceed during the weeks starting August 28, 2006 and September 5, 2006, and will resume on Monday, September 25, 2006 to finish at the latest on Friday, October 6, 2006.
- [6] The hearing will be an electronic hearing.

DATED at Ottawa, this 17th day of February, 2006.

SIGNED on behalf of the Tribunal by the Chairperson of the Tribunal.

(s) Sandra J. Simpson

COUNSEL:

For the Applicants B-Filer Inc., B-Filer Inc. doing business as GPAY
GuaranteedPayment and Npay Inc.:

Mr. Michael Osborne
Ms. Sharon Dalton
Ms. Jennifer Cantwell

For the Respondent Bank of Nova Scotia:

Mr. F. Paul Morrison
Ms. Lisa M. Constantine