

Date: 20070709

Docket: T-1124-07

Ottawa, Ontario, July 9, 2007

PRESENT: Madam Prothonotary Roza Aronovitch

BETWEEN:

THE CANADIAN WHEAT BOARD

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

ORDER

UPON motion on behalf of the Applicant for:

1. An order pursuant to Rule 105 of the *Federal Courts Rules*, SOR/98-106, as amended (the “Rules”) directing that the application for judicial review in Court File T-1105-07 (the “Friends Application”) be heard together with this proceeding (collectively, the “Applications”) or one immediately after the other and granting such further and other ancillary relief necessary to give effect to such an order;
2. An order pursuant to Rule 8 of the Rules abridging the period for the hearing of the Applications and setting an expedited hearing date and timetable for the remaining steps in the Applications;

3. An order pursuant to Rules 383, 384 and 385 of the Rules appointing a case management judge to oversee the conduct of this application;

ON READING the Motion Records of the Applicant and Respondent and on the consent of the parties;

I am satisfied that the consolidation should be granted and the hearing of the consolidated applications expedited.

As to case management, given that a schedule is now established, and the proximity of the hearing date, I do not see the need for the appointment of a case management judge. That said, I remain seized for the purpose of the securing of a hearing date, if necessary, for the hearing of the motions to intervene. It is ordered accordingly.

THIS COURT ORDERS that:

1. This application and the application for judicial review in Court File T-1105-07 (collectively, the “Applications”) be consolidated and be heard together or one immediately after the other as the Judge hearing the Applications directs.
2. The hearing of the Applications shall be held on an expedited basis on **July 25 through July 27, 2007**, in **Calgary, Alberta**, commencing at 9:30 a.m. on July 25, 2007.
3. The proposed intervenors, excepting Her Majesty The Queen in Right of Alberta (“Alberta”), shall serve and file their motion records for their motions seeking leave to intervene in the Applications, or either of them, by **July 9, 2007**.
4. Any responding motion records in respect of the motions of any of the proposed intervenors shall be served and filed by **July 11, 2007**.
5. All parties and proposed intervenors shall advise counsel for Alberta forthwith as to their position on the motions of the proposed intervenors and that counsel for

Alberta shall advise the Court by 4:30 p.m., Central Daylight Time on **July 11, 2007**, of the availability of all counsel on **July 12, 13, 16 and 17** to argue those motions.

6. In the event that the interventions are not opposed, the proposed intervenors, by **July 11, 2007**, shall electronically file proposed draft orders, on consent, or with parties not objecting, setting out the terms on which they wish to intervene and providing dates for the filing of their facts of law.
7. The Applicants and Respondent forthwith shall serve on the proposed intervenors any materials previously filed.
8. The Respondent shall serve and file its affidavits on the Applications, or either of them, by **July 9, 2007**.
9. All cross examinations on the Applications shall be completed by **July 18, 2007**.
10. The Applicants' Records shall be served and filed in **Calgary**, by **July 20, 2007**.
11. The Respondent's Records shall be served and filed in **Calgary**, by **July 23, 2007**.
12. All materials to be served and filed pursuant to this Order, in addition to being filed in any other registry office, shall be filed electronically in **Ottawa**, at the following address: CMT_ottawa@cas-satj.gc.ca, by no later than 5:30 p.m. Eastern Standard Time.

"R. Aronovitch"

Prothonotary