

Federal Court



Cour fédérale

Date: 20190613

Docket: T-326-18

Ottawa, Ontario, June 13, 2019

PRESENT: Case Management Judge Mandy Ayles

BETWEEN:

**THE PROVINCE OF ALBERTA AND ALL
ENTITIES NAMED IN SCHEDULE "A"**

Plaintiffs

and

**THE CANADIAN COPYRIGHT LICENSING
AGENCY (C.O.B. AS ACCESS COPYRIGHT)**

Defendant

ORDER

[1] Pursuant to my Order dated May 29, 2019, the parties were to attempt to reach an agreement on the deadline for service of the Plaintiffs' affidavits of documents and schedule one productions and if no agreement was reached, to provide the Court with their respective proposed deadlines. Unfortunately, the parties were unable to agree.

[2] The Plaintiffs propose, for reasons detailed in their letter dated June 11, 2019, the following deadlines: (i) November 30, 2019 for the Ministries; (ii) March 31, 2020 for the school boards; and (iii) June 30, 2020 for the schools.

[3] The Defendant proposes, for reasons detailed in its letter dated June 11, 2019, the following deadlines: (i) September 27, 2019 for the Ministries; (ii) October 25, 2019 for the school boards; and (iii) November 29, 2019 for the schools.

[4] I am mindful of the extensive effort required by the Plaintiffs to prepare their productions in light of the scope of representative documentary discovery ordered by the Court (and requested by the Defendant), as well as the need for this action to move forward in a just and expeditious manner. Having considered the submissions of the parties, I find that neither proposal strikes an appropriate balance between these competing considerations. As such, I am imposing a different timetable which I am satisfied properly balances these competing considerations. Accordingly, the Plaintiffs shall serve their affidavits of documents and schedule one productions as follows: (i) by October 18, 2019 for the Ministries; (ii) by December 31, 2019 for the school boards; and (iii) by February 28, 2020 for the schools.

[5] As the parties have reached an agreement as to the quantum of costs payable on the motion heard May 28, 2019, I need not make a determination of that issue.

THIS COURT ORDERS that:

1. The Plaintiffs shall serve their affidavits of documents and schedule one productions by the following deadlines:

(a) October 18, 2019 for the Ministries;

(b) December 31, 2019 for the school boards; and

(c) February 28, 2020 for the schools.

“Mandy Ayleen”

Case Management Judge