



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Procurement

ORDER

File Nos. PR-2009-132 to
PR-2009-153

Enterasys Networks of Canada
Ltd.

v.

Department of Public Works and
Government Services

*Order issued
Tuesday, August 3, 2010*

IN THE MATTER OF complaints filed by Enterasys Networks of Canada Ltd. pursuant to subsection 30.11(1) of the *Canadian International Trade Tribunal Act*, R.S.C. 1985 (4th Supp.), c. 47;

AND FURTHER TO a notice of motion filed by the Department of Public Works and Government Services on July 14, 2010, for an order striking from the record certain documents filed by Enterasys Networks of Canada Ltd. on July 7, 2010, as attachments to its comments on the Government Institution Report.

BETWEEN

ENTERASYS NETWORKS OF CANADA LTD.

Complainant

AND

**THE DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT
SERVICES**

**Government
Institution**

ORDER

Having considered the motion by the Department of Public Works and Government Services filed on July 14, 2010, and the comments by Enterasys Networks of Canada Ltd. dated July 16, 2010, the Canadian International Trade Tribunal, pursuant to subsection 17(2) of the *Canadian International Trade Tribunal Act*, hereby orders that the following documents be removed from the record forthwith:

- Exhibit 1 of Enterasys Networks of Canada Ltd.'s comments on the Government Institution Report, specifically the letter signed by Mr. M. Millar from Enterasys Networks of Canada Ltd., dated July 7, 2010, which provided comments on each of the Requests for Volume Discount;
- Exhibit 3 of Enterasys Networks of Canada Ltd.'s comments on the Government Institution Report, specifically, the letter signed by Ms. Erica Johnson from the University of New Hampshire InterOperability Laboratory, dated June 22, 2010; and

- Exhibit 4 of Enterasys Networks of Canada Ltd.'s comments on the Government Institution Report, specifically, the letter signed by Dr. D. Ionescu from ARTIS Inc., dated July 7, 2010.

Serge Fréchette
Serge Fréchette
Presiding Member

Diane Vincent
Diane Vincent
Member

Stephen A. Leach
Stephen A. Leach
Member

Dominique Laporte
Dominique Laporte
Secretary

The statement of reasons will be issued at a later date.