



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Procurement

ORDER

File PR-2023-063

Kyndryl Canada Limited & ISM
Information Systems Management
Corporation in Joint Venture

v.

Department of Employment and
Social Development

*Order issued
Thursday, May 2, 2024*

IN THE MATTER OF a complaint filed by Kyndryl Canada Limited & ISM Information Systems Management Corporation in joint venture (Kyndryl ISM) pursuant to subsection 30.11(1) of the *Canadian International Trade Tribunal Act*;

AND FURTHER TO a decision to conduct an inquiry into the complaint pursuant to subsection 30.13(1) of the *Canadian International Trade Tribunal Act*;

AND FURTHER TO the withdrawal of the complaint by Kyndryl ISM.

BETWEEN

**KYNDRYL CANADA LIMITED & ISM INFORMATION SYSTEMS
MANAGEMENT CORPORATION IN JOINT VENTURE**

Complainant

AND

**THE DEPARTMENT OF EMPLOYMENT AND SOCIAL
DEVELOPMENT**

**Government
Institution**

ORDER

WHEREAS Kyndryl ISM filed the above-mentioned complaint on March 6 and 7, 2024;

AND WHEREAS the Canadian International Trade Tribunal decided, on March 8, 2024, to inquire into the complaint, pursuant to subsection 30.13(1) of the *Canadian International Trade Tribunal Act* (CITT Act) and subsection 7(1) of the *Canadian International Trade Tribunal Procurement Inquiry Regulations*;

AND WHEREAS, on April 18, 2024, Kyndryl ISM notified the Tribunal that it wished to withdraw its complaint based on information contained in the government institution report;

AND WHEREAS, on April 24, 2024, the Department of Employment and Social Development indicated that it had no comments on Kyndryl ISM's request to withdraw its complaint;

AND WHEREAS subsection 30.13(5) of the CITT Act provides that the Tribunal may cease conducting the inquiry;

THEREFORE, pursuant to subsection 30.13(5) of the CITT Act, the Tribunal ceases its inquiry.

Each party will bear its own costs.

Cheryl Beckett

Cheryl Beckett
Presiding Member