

**BEFORE THE COMPETITION TRIBUNAL OF SOUTH AFRICA****CT CASE NO: 91/CR/Dec09**

In the matter between:

**1TIME AIRLINE (PTY) LIMITED**

Complainant/Respondent

and

**LANSERIA INTERNATIONAL AIRPORT  
(PTY) LIMITED**1<sup>st</sup> Respondent**COMAIR LIMITED t/a KULULA.COM**2<sup>nd</sup> Respondent/Applicant

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Panel : Norman Manoim (Presiding Member), Yasmin Carrim (Tribunal Member), and Andreas Wessels (Tribunal Member)

Heard on : 04 May 2011

Decided on : 05 May 2011

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**Order: In the Application to compel further and better discovery**

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Following the hearing in this application, it is ordered that:

1. The complainant ('the respondent in this application') must provide the following particulars to the second respondent ('the applicant in this application'):

- 1.1 The annual income statements and balance sheets from January 2005 to date;

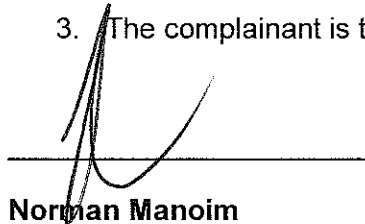
- 1.2 All internal management accounts detailing route profitability for each relevant city-pair route (Johannesburg – Cape Town and Johannesburg – Durban) ("relevant city-pair routes") since January 2006;

- 1.3 The Complainant's tariff classes (seat buckets) and prices for each of the tariff classes on the relevant city-pair routes, for the past five years.

- 1.4 The initial allocation of seat numbers to each of the tariff classes for different demand periods in the week in respect of the relevant city-pair routes, for the past five years.

2. The documents in sub-paragraphs 1.1 to 1.4 above must be made available subject to the complainant receiving appropriate confidentiality undertakings from the respondents.

3. The complainant is to pay the costs of this application.

A handwritten signature in black ink, appearing to be 'Norman Manoim', is written over a horizontal line.

**Norman Manoim**

**Presiding Member**

**Concurring:** Yasmin Carrim and Andreas Wessels

## Tebogo Mputle

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**From:** Tebogo Mputle  
**Sent:** Thursday, May 05, 2011 12:23 PM  
**To:** 'James@Schindlers.co.za'; 'Sher@schindlers.co.za'; 'carel@mlv.co.za'; 'Martin Versfeld'; 'lital.avivi@webberwentzel.com'  
**Cc:** Thabani Ngilande; Lerato Motaung  
**Subject:** 1TIME AIRLINE / LANSERIA INTERNATIONAL AIRPORT / COMAIR LIMITED - 91/CR/Dec09  
**Attachments:** 20110505121854496.tif

Dear all

Please see attached order in the discovery application in the above matter and kindly confirm receipt.

Kind Regards

*Tebogo Mputle*  
**Registry Administrator**  
*competition tribunal south africa*  
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