



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1077/5/7/07

BETWEEN:

(1) EMERSON ELECTRIC CO.
(2) VALEO SA
(3) ROBERT BOSCH GmBH
(4) VISTEON CORPORATION
(5) ROCKWELL AUTOMATION INC.

Claimants

-v-

(1) MORGAN CRUCIBLE COMPANY PLC

Defendant

ORDER

UPON the stay of proceedings being lifted 21 days after the judgments of the Court of Justice in Case C-554/08 P and Case C-564/08 P were handed down on 12 November 2009, namely on 3 December 2009

AND UPON the Tribunal Registry writing to the parties in relation to the future conduct of the proceedings on 14 January 2010

AND UPON reading the letters from the Claimants' solicitors of 25 January 2010 and 15 February 2010 requesting that the proceedings be further stayed for six months

AND UPON reading the letters from the Defendant's solicitors of 26 January 2010 and 10 February 2010 indicating that it does not consent to a stay for the reason given by the Claimants

AND UPON reading the letter from the Claimants' solicitors of 8 March 2010 indicating an intention to seek to amend the Claimants' pleading

AND HAVING REGARD to the Tribunal's power under rule 19 of the Competition Appeal Tribunal Rules 2003 to secure the just, expeditious and economical conduct of the proceedings

IT IS ORDERED THAT:

1. The Claimants' application for a further stay of these proceedings be refused
2. If so advised the Claimants file and serve any application to amend the Claimants' pleading, including a draft of the proposed amendment, by no later than 5pm on 31 March 2010
3. The parties now seek to agree further directions for the purposes of bringing these claims to trial and submit to the Tribunal for its consideration a copy of such directions as are agreed together with a list of any directions sought by a party but not agreed, by no later than 5pm on 30 April 2010, with a view to the necessary directions being made by the Tribunal without an oral hearing
4. In the event that such matters are not capable of being resolved without a hearing, or a hearing is otherwise considered appropriate, a case management conference be provisionally listed for 2pm on 17 May 2010 to consider the matter further and to make directions for trial
5. There be liberty to apply

The Honourable Mr Justice Barling
President of the Competition Appeal Tribunal

Made: 11 March 2010
Drawn: 11 March 2010