



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1077/5/7/07

BETWEEN:

(1) EMERSON ELECTRIC CO.
(2) VALEO SA
(3) ROBERT BOSCH GmbH

Claimants

-v-

(1) MORGAN CRUCIBLE COMPANY PLC
(2) SCHUNK GmbH
(3) SCHUNK KOHLENSTOFFTECHNIK GmbH
(4) SGL CARBON SE (sued as SGL CARBON AG)
(5) MERSEN (sued as LE CARBONE LORRAINE SA)
(6) MERSEN UK PORTSLADE LIMITED
(sued as LE CARBONE (GREAT BRITAIN) LIMITED)

Defendants

ORDER

UPON the Fourth Defendant informing the Tribunal that it has agreed with the Claimants the terms of a draft Order extending time for (1) the SGL Carbon SE to file any application disputing the Tribunal's jurisdiction to try the claim brought by Robert Bosch GmbH and (2) the SGL Carbon SE to file its defence to the claim of each of the Claimants, and attaching to the said letter a draft of the proposed Order signed on behalf of the Fourth Defendant and the Claimants

AND UPON there being no objections to the grant of these extensions

AND UPON considering the Tribunal's power to give directions as to the extension of any time limit contained in rule 19(2)(i) of the Competition Appeal Tribunal Rules 2003 (S.I. 1372 of 2003)

IT IS ORDERED THAT:

1. The time for SGL Carbon SE to make any application challenging the jurisdiction of the Tribunal in relation to the claim by Robert Bosch GmbH be

extended until 14 days after the final determination (including any appeals) of the application of Mersen UK Portslade Ltd dated 13 September 2010.

2. Without prejudice to its right to challenge the Tribunal's jurisdiction, time be extended for SGL Carbon SE to file its defence to each claim until 28 days after the later of the final determination (including any appeals) of:-
 - i. Mersen UK Portslade Ltd's application dated 13 September 2010; and
 - ii. any application that SGL Carbon SE makes challenging the Tribunal's jurisdiction in relation to the claim by Robert Bosch GmbH.
3. Liberty to apply

The Honourable Mr Justice Barling
President of the Competition Appeal Tribunal

Made: 12 January 2011
Drawn: 12 January 2011