



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Cases No: 1160-1165/1/1/10

BETWEEN:

**(1) IMPERIAL TOBACCO GROUP PLC**  
**(2) IMPERIAL TOBACCO LIMITED**

Appellants

- v -

**OFFICE OF FAIR TRADING**

Respondent

**CO-OPERATIVE GROUP LIMITED**

Appellant

- v -

**OFFICE OF FAIR TRADING**

Respondent

**WM MORRISON SUPERMARKETS PLC**

Appellant

- v -

**OFFICE OF FAIR TRADING**

Respondent

**(1) SAFEWAY STORES LIMITED**  
**(2) SAFEWAY LIMITED**

Appellants

- v -

**OFFICE OF FAIR TRADING**

Respondent

**(1) ASDA STORES LIMITED**  
**(2) ASDA GROUP LIMITED**  
**(3) WAL-MART STORES (UK) LIMITED**  
**(4) BROADSTREET GREAT WILSON EUROPE LIMITED**

Appellants

- v -

**OFFICE OF FAIR TRADING**

Respondent

**(1) SHELL U.K. LIMITED**  
**(2) SHELL U.K. OIL PRODUCTS LIMITED**  
**(3) SHELL HOLDINGS (U.K.) LIMITED**

Appellants

- v -

**OFFICE OF FAIR TRADING**

Respondent

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**ORDER AMENDING ORDER MADE ON 25 OCTOBER 2010**

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**UPON** reading a letter from Ashurst LLP dated 1 November 2010 (on behalf of Imperial Tobacco Group plc and Imperial Tobacco Ltd) applying for disclosure of unredacted versions of certain documents on the Office of Fair Trading's case file

**AND UPON** reading correspondence from the legal representatives of the parties relating to the terms of the Tribunal's Order made on 25 October 2010

**IT IS ORDERED THAT:**

1. In this Order the term "the earlier Order" means the order made by the Tribunal in these appeals on 25 October 2010.
2. Paragraph 4(b) of the earlier Order be replaced with the following:

"Subject to subparagraphs 4(c) and 4(d) below, the OFT disclose (in electronic form only) to the members of the confidentiality ring established by Order of 16 August 2010 (as amended) confidential versions of:-

- i. the Decision;
- ii. the Statements of Objections;
- iii. the annexes to the Statements of Objections and to the Decision; and
- iv. documents forming part of the OFT's case file and referred to in the Appellants' notices of appeal, which documents are to be identified by the relevant Appellant in writing to the OFT no later than 4pm on 15 November 2010

(together, "Key Confidential Documents")."

3. In paragraph 4(c) of the earlier Order the words "each of the addressees of the Decision other than the Appellants" be replaced with "any person who, in the

opinion of the OFT, may reasonably maintain a claim that their confidential information is included in one or more of the Key Confidential Documents”

**Vivien Rose**  
Chairman of the Competition Appeal Tribunal

Made: 15 November 2010  
Drawn: 15 November 2010