



**IN THE COMPETITION  
APPEAL TRIBUNAL**

**Case No: 1173/5/7/10**

- 1) DEUTSCHE BAHN AG
- 2) DB NETZ AG
- 3) DB ENERGIE GMBH
- 4) DB REGIO AG
- 5) S-BAHN BERLIN GMBH
- 6) S-BAHN HAMBURG GMBH
- 7) DB REGIO NRW GMBH
- 8) DB KOMMUNIKATIONSTECHNIK GMBH
- 9) DB SCHENKER RAIL DEUTSCHLAND AG
- 10) DB BAHNBAU GRUPPE GMBH
- 11) DB FAHRZEUGINSTANDHALTUNG GMBH
- 12) DB FERNVERKEHR AG
- 13) DB SCHENKER RAIL (UK) LTD
- 14) LOADHAUL LIMITED
- 15) MAINLINE FREIGHT LIMITED
- 16) RAIL EXPRESS SYSTEMS LIMITED
- 17) ENGLISH WELSH & SCOTTISH RAILWAY INTERNATIONAL LIMITED
- 18) EMEF - EMPRESA DE MANUTENÇÃO DE EQUIPAMENTO FERROVIÁRIO SA
- 19) CP - COMBOIOS DE PORTUGAL E.P.E.
- 20) METRO DE MADRID, S.A.
- 21) ANGEL TRAINS LIMITED
- 22) NV NEDERLANDSE SPOORWEGEN
- 23) NEDTRAIN B.V.
- 24) NEDTRAIN EMATECH B.V.
- 25) NS REIZIGERS B.V.
- 26) DB SCHENKER RAIL NEDERLAND N.V.
- 27) TRENITALIA, S.P.A.
- 28) RETE FERROVIARIA ITALIANA, S.P.A.
- 29) NORGES STATSBANER AS
- 30) EUROMAINT RAIL AB
- 31) GÖTEBORGS SPÅRVÄGAR AB

**Claimants**

-v-

- 1) MORGAN CRUCIBLE COMPANY PLC
- 2) SCHUNK GMBH
- 3) SCHUNK KOHLENSTOFFTECHNIK GMBH
- 4) SGL CARBON AG
- 5) MERSEN SA (FORMERLY LE CARBONE-LORRAINE SA)
- 6) HOFFMAN & CO. ELEKTROKOHLE AG

**Defendants**

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**ORDER**

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**UPON** the legal representatives of the Second, Third and Sixth Defendants informing the Tribunal of those defendants' intention to file a consolidated jurisdictional application and/or defence in relation to the claim

**AND UPON** the Claimants and the Sixth Defendant agreeing to the terms of this Order

**IT IS ORDERED THAT:**

1. The time for the Sixth Defendant to file its application with regard to jurisdiction and/or its defence to the claim be extended until 5pm on 7 April 2011.
2. There be liberty to apply.

**Marcus Smith QC**  
Chairman of the Competition Appeal Tribunal

Made: 10 March 2011  
Drawn: 14 March 2011