



**IN THE COMPETITION  
APPEAL TRIBUNAL**

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

**B E T W E E N:**

- 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) DB SCHENKER RAIL INTERNATIONAL LIMITED (FORMERLY  
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 STATSبانER AS
- 30) EUROMAINT RAIL AB
- 31) GÖTEBORGS SPÅRVÄGAR AB

**Claimants**

**-v-**

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

**Defendants**

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**ORDER (ADJOURNMENT)**

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**UPON** the Tribunal having listed a case management conference and hearing for 29 - 30 September 2014

**AND UPON** counsel for the Claimants having notified the Tribunal on 29 September 2014 that the Parties have reached an agreement in principle to settle the claims

**IT IS ORDERED THAT:**

1. The hearing listed for 29 – 30 September be adjourned until 3 and 5 November 2014
2. There be liberty to apply

**Marcus Smith Q.C.**  
Chairman of the Competition Appeal Tribunal

Made: 29 September 2014  
Drawn: 29 September 2014