



IN THE COMPETITION
APPEAL TRIBUNAL

Case No.: 1213/5/7/13

B E T W E E N

- (1) **TEVA UK LIMITED**
(2) **NORTON HEALTHCARE LIMITED**

Claimants

-v-

- (1) **RECKITT BENCKISER GROUP PLC**
(2) **RECKITT BENCKISER HEALTHCARE (UK) LIMITED**

Defendants

ORDER

UPON the Claimants having commenced a claim for damages before the Tribunal on 12 June 2013 (the “Claim”) under section 47A of the Competition Act 1998

UPON consideration of the matters in issue in the Claim and in Claim Numbers HC11C00319, HC11C03436, HC12C00387 and HC12E01030 currently in the High Court, Chancery Division (the “High Court Claims”)

AND UPON the Defendants having made an application on behalf of themselves and the Claimants on 8 July 2013, pursuant to rule 48(a) of the Competition Appeal Tribunal Rules (S.I. 2003 / 1372) (the “Tribunal’s Rules”) for a direction that the Claim be transferred to the Chancery Division of the High Court of England and Wales

AND UPON considering the terms of a draft order agreed between the parties, which has the same effect as the terms of the Order set out below

AND HAVING REGARD TO section 16(5) (Transfers of certain proceedings to and from the Tribunal) of the Enterprise Act 2002 (the “2002 Act”)

AND HAVING REGARD TO paragraphs 8.7 to 8.9 of the Practice Direction to CPR Part 30, which govern transfers from the Tribunal to the High Court under section 16(5) of the 2002 Act

AND UPON consideration of the Order of 31 July 2012 of Chief Master Winegarten and the Order of 4 December 2012 of Mr Justice Mann in the High Court Claims

IT IS ORDERED THAT:

1. The Claim be transferred to the Chancery Division of the High Court, pursuant to rule 48(a) of the Tribunal's Rules.
2. The parties apply to the Chancery Judges' Listing Office to convene a Case Management Conference with Mr Justice Mann on the first mutually convenient available date after the transfer of the Claim has been completed.
3. Time for service of the Defence be suspended until further order of the High Court.
4. Costs incurred by the parties while the Claim was before the Tribunal be costs in the case.

The Honourable Mr Justice Barling
President of the Competition Appeal Tribunal

Made: 11 July 2013
Drawn: 11 July 2013