



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1239/4/12/15

B E T W E E N:

RYANAIR HOLDINGS PLC

Applicant

-v-

COMPETITION AND MARKETS AUTHORITY

Respondent

AER LINGUS GROUP PLC

Intervener

ORDER

UPON reading the Notice of Application (the “Application”) lodged by Ryanair Holdings Plc (“Ryanair”) under rule 8 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (the “Tribunal Rules”) on 18 June 2015, relating to a decision made by the Competition and Markets Authority (the “CMA”) dated 11 June 2015 titled “Ryanair/Aer Lingus Merger Inquiry, Final Decision on possible material change of circumstances” and an order made by the CMA dated 11 June 2015 titled “The Ryanair Holdings plc and Aer Lingus Group plc Inquiry Order 2015”, including Ryanair’s application for interim relief under Rule 61 of the Tribunal Rules (the “Interim Relief Application”)

AND UPON the deadline for requests for permission to intervene having been abridged to 12 noon on 23 June 2015 pursuant to an order made on 19 June 2015

AND UPON reading the request for permission to intervene made pursuant to rule 16 of the Tribunal Rules by Aer Lingus Group Plc (“Aer Lingus”) on 23 June 2015

AND UPON reading the written observations of the CMA and Aer Lingus filed in advance of the case management conference

AND UPON hearing counsel for the parties at a case management conference on 24 June 2015

IT IS ORDERED THAT:

Forum

1. Pursuant to rule 18 of the Tribunal Rules the proceedings be treated as proceedings in England and Wales.

Intervention

2. Aer Lingus be granted permission to intervene in support of the CMA, on condition that it take all reasonable steps to avoid any duplication of the submissions made by the CMA.

Expedition

3. The hearing of the Application be expedited.

Future Conduct of the Proceedings

4. The Application and Interim Relief Application be heard on 2 July 2015, commencing at 2 pm unless Ryanair notifies the Tribunal that it does not intend to proceed with its Interim Relief Application; in such event the hearing shall commence on 3 July 2015 at 10 am, with a time estimate of 1 day.
5. Ryanair notify the Tribunal as soon as reasonably practicable but in any event by 4pm on 1 July 2015 whether or not it intends to pursue its Interim Relief Application.
6. Skeleton arguments shall stand in place of the defence and the statement of intervention, to be filed and served as follows:
 - a. The CMA file and serve six copies of its skeleton argument and any evidence by way of a single bundle by 4pm on 29 June 2015;
 - b. Aer Lingus file and serve six copies its skeleton argument and any evidence by way of a single bundle by 4pm on 30 June 2015; and
 - c. Ryanair file and serve six copies of its skeleton argument and any evidence in reply by way of a single bundle by 4pm on 1 July 2015.
7. Ryanair file and serve six copies of an agreed bundle of authorities for the hearing by 4pm on 1 July 2015.

8. There be liberty to apply.

Hodge Malek QC
Chairman of the Competition Appeal Tribunal

Made: 24 June 2015
Drawn: 24 June 2015