



**IN THE COMPETITION  
APPEAL TRIBUNAL**

**Case No. 1028/5/7/04**

**Before:**

**Marion Simmons QC (Chairman)**

- (1) BCL OLD CO LIMITED**
- (2) DFL OLD CO LIMITED**
- (3) PFF OLD CO LIMITED**

Claimants

**-and-**

- (1) AVENTIS SA**
- (2) RHODIA LIMITED**
- (3) F HOFFMANN-LA ROCHE AG**
- (4) ROCHE PRODUCTS LIMITED**
- (5) 2 SISTERS PREMIER DIVISION  
LIMITED;**
- (6) BROOMCO (2488) LIMITED;**
- (7) BROOMCO (2523) LIMITED;**
- (8) BROOMCO (2524) LIMITED;**
- (9) P D HOOK (HATCHERIES)  
LIMITED; AND**
- (10) DEANS FOODS LIMITED.**

Defendants

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**ORDER**

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**UPON** reading the Claimants' letter dated 21 January 2005 requesting an extension of time to file and serve the response from their accountancy expert, Mr Morrell, to the First, Second, Third and Fourth Defendants' expert report on calculation

**AND UPON** considering the observations filed on 21 January 2005 by the First, Second, Third and Fourth Defendants' in respect of that request

**AND UPON** hearing the oral submissions from the Claimants' and First, Second, Third and Fourth Defendants' legal representatives at the telephone hearing of the Claimants' application for an extension of time on 21 January 2005

**IT IS ORDERED THAT:**

1. Paragraphs 6, 7 and 13 of the Tribunal's Order dated 17 December 2004 be amended to read:
  6. The Claimants file and serve the report of the expert instructed pursuant to paragraph 3 above by 5pm on 21 January 2005, and serve any further report from Mr Morrell in response to the report of Mr Forbes by 2.00p.m. on 24 January 2005, and file that further report from Mr Morrell by 10.00a.m. on 25 January 2005.
  7. The parties provide the following by 5pm on 26 January 2005:
    - a) a statement of facts agreed and the facts which are in issue;
    - b) a draft detailed statement of issues which are to be decided by the Tribunal; and
    - c) a draft cross-examination schedule in the form provided by the Tribunal to the parties but without completion of the column in the schedule relating to sub-issues.
13. The parties lodge the following with the Tribunal by 4pm on 11 February 2005:
  - a) opening written submissions, to include submissions on the law;
  - b) an agreed chronology relevant to the issues to be decided;
  - c) the trial bundles;
  - d) a final detailed statement of issues which are to be decided by the Tribunal; and

- e) a final fully completed version of the cross-examination schedule in the form provided to the parties by the Tribunal.

**Marion Simmons QC**  
Chairman of the Competition Appeal Tribunal

Made: 21 January 2005  
Drawn: 25 January 2005