



COMPETITION APPEAL TRIBUNAL

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No. 1030/4/1/04

BETWEEN:

FEDERATION OF WHOLESALE DISTRIBUTORS

Applicant

-v-

OFFICE OF FAIR TRADING

Respondent

supported by

TESCO PLC

Intervener

ORDER

UPON reading the application filed by the applicant pursuant to section 120(1) of the Enterprise Act 2002 on 2 April 2004

AND UPON reading the applicant's request of 29 April 2004 for permission to withdraw its notice of application pursuant to rule 12 of the Competition Appeal Tribunal Rules 2003

AND UPON reading the observations of the respondent and intervener on that request

AND UPON reading the further submissions of the applicant and respondent

AND UPON hearing the legal representatives of the applicant and respondent at a case management conference on 7 May 2004

IT IS ORDERED THAT:

1. The applicant be granted permission to withdraw its application.
2. The applicant pay 25% of the respondent's costs incurred up to and including 30 April 2004 in defending the proceedings.

3. There be liberty to apply.

Sir Christopher Bellamy
President of the Competition Appeal Tribunal

Made: 14 May 2004
Drawn: 14 May 2004