



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No 1033/1/1/04

BETWEEN:

RICHARD W. PRICE (ROOFING CONTRACTORS) LIMITED
Appellant

-v.-

OFFICE OF FAIR TRADING
Respondent

ORDER

UPON considering the appellant's notice of appeal

AND UPON considering the relevance of the proceedings in case 1032/1/1/04 (*Apex Asphalt and Paving Co Limited v Office of Fair Trading*)

AND UPON hearing Mr Price representing the appellant and counsel for the respondent at a case management conference held on 15 June 2004

IT IS ORDERED THAT:

1. Under rule 18 of the Competition Appeal Tribunal Rules 2003 (SI 1372/2003), the proceedings be proceedings before a Tribunal in England and Wales.
2. The public non-confidential version of the respondent's decision CA98/1/2004 ("the decision") be used for the purposes of the proceedings, the parties being at liberty to apply, if and when they consider it necessary for the disposal of the proceedings, for permission to insert confidential information into the decision and/or into other non-confidential versions of documents before the Tribunal in the proceedings.
3. The appellant serve on the respondent in case 1032/1/1/04 a copy of its notice of appeal (omitting the decision) by 5 p.m. on 22 June 2004.
4. The respondent file and serve its Defence by 5 p.m. on 8 July 2004.

5. The appellant be granted permission if so advised to file and serve a Reply to the Defence by 5 p.m. on 22 July 2004.
6. The respondent, by 5 p.m. on 28 July 2004, (i) send the appellant a joint statement of facts set out in the decision in draft form; and (ii) send the appellant a copy of the joint statement of agreed and non-agreed issues in case 1032/1/1/04.
7. The appellant, by 5 p.m. on 11 August 2004, respond to (i) the respondent's draft joint statement of facts by way of stating to what extent it agrees with that draft joint statement of facts and indicating what, if any, additional facts should be included; and (ii) the statement of agreed and non-agreed issues drawn up by the parties in case 1032/1/1/04, by stating which of the issues it adopts and whether there are further issues which it considers should be included.
8. The respondent prepare, by 5 p.m. on 8 September 2004, (i) a chronological bundle of all factual evidence on which the parties wish to rely and (ii) a bundle of authorities.
9. The respondent file its skeleton argument for the main hearing by 5 p.m. on 8 September 2004.
10. The main hearing be listed for 24 September 2004 with a time estimate of 1 day at a time and location to be notified to the parties.
11. Costs be reserved.
12. There be liberty to apply.

Marion Simmons QC
Chairman of the Competition Appeal Tribunal

Made: 22 June 2004
Drawn: 22 June 2004