



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1062/1/1/06

BETWEEN:

THE LONDON METAL EXCHANGE

Appellant

-v-

OFFICE OF FAIR TRADING

Respondent

ORDER

UPON handing down judgment on the appellant's application for costs

IT IS ORDERED THAT:

1. The respondent pay the appellant's reasonable and proportionate costs incurred (i) in preparing the notice of appeal, (ii) in preparing for and attending the case management conference held on 15 May 2006, (iii) in preparing its written application for costs and (iv) in attending a hearing to consider that application.
2. The respondent write to the appellant within 14 days seeking such clarification of the costs incurred by the appellant as it considers appropriate.
3. The appellant reply in writing within 14 days of the respondent's letter mentioned in point 2 above.
4. In the absence of agreement as to the amount to be paid by the respondent to the appellant, the Tribunal shall, upon application by either party after 56 days of this Order, summarily assess that amount.

Marion Simmons QC
Chairman of the Competition Appeal Tribunal

Made: 8 September 2006
Drawn: 8 September 2006