



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1071/2/1/06

BETWEEN:

CITYHOOK LIMITED

Appellant

-and-

OFFICE OF FAIR TRADING

Respondent

-supported by-

ALCATEL SUBMARINE NETWORKS LIMITED

Intervener

ORDER OF THE TRIBUNAL

UPON receiving a notice of appeal on 23 August 2006

AND UPON the respondent indicating that it contested the admissibility of the appeal

AND UPON hearing the parties at a case management conference on 14 September 2006

AND UPON also hearing the legal representative of Level 3 Communications Limited at that case management conference

IT IS ORDERED THAT:

1. Pursuant to rule 18(1) of the Competition Appeal Tribunal Rules 2003, S.I. 2003 No. 1372 ("the Tribunal's Rules") the proceedings be proceedings before a Tribunal in England and Wales.
2. Alcatel Submarine Networks Limited ("ASN") be granted permission to intervene in these proceedings pursuant to Rule 16 of the Tribunal's Rules.
3. Level 3 Communications Limited's application for permission to intervene be adjourned until further Order.
4. If so advised, the appellant file and serve clarification of its case by way of a request to amend its notice of appeal, particularly in respect of (a) the scope of its appeal and (b) the nature of the contested decision, by 5:00pm on 29 September 2006.

5. The question of the admissibility of the appeal be heard as a preliminary issue.
6. The time for filing and service of the defence be extended generally until further Order.
7. The respondent file and serve a short outline statement of its position on the question of the admissibility of the appeal, together with evidence in support and such voluntary disclosure as it may be advised to make, by 5:00pm on 13 October 2006.
8. If so advised, the appellant file and serve an application for disclosure no later than 5:00pm on 24 October 2006.
9. The respondent file and serve a response to any such application for disclosure by 5:00pm on 2 November 2006.
10. If so advised, ASN file and serve submissions on any application for disclosure by 5:00pm on 8 November 2006.
11. The appellant file and serve a skeleton argument in respect of any application for disclosure by 5:00pm on 8 November 2006.
12. A hearing be provisionally listed for 10:30am on 13 November 2006 to consider any application for disclosure, ASN having liberty to attend such hearing.
13. The appellant file and serve a skeleton argument on the question of the admissibility of the appeal by 5:00pm on 9 January 2007.
14. The OFT file and serve a skeleton argument on the question of admissibility by 5:00pm on 16 January 2007.
15. ASN file and serve a skeleton argument on the question of admissibility by 5:00pm on 18 January 2007.
16. If so advised, the appellant file and serve a skeleton argument in reply by 5:00pm on 23 January 2007.
17. A hearing be listed for 10:30am on 30 January 2007 with a time estimate of 1 day with a further day in reserve.
18. Costs be reserved.
19. There be liberty to apply.

Marion Simmons QC
Chairman of the Competition Appeal Tribunal

Made: 14 September 2006
Drawn: 25 September 2006