



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1077/5/7/07

BETWEEN:

(1) EMERSON ELECTRIC CO.
(2) VALEO SA
(3) ROBERT BOSCH GmBH
(4) VISTEON CORPORATION
(5) ROCKWELL AUTOMATION INC.

Claimants

-v-

MORGAN CRUCIBLE COMPANY PLC

Defendant

ORDER OF THE TRIBUNAL

UPON considering the claimants' claim form dated 9 February 2007

AND UPON considering the defendant's application for summary disposal of the claim for damages under Rule 40(1)(a) of the Competition Appeal Tribunal Rules 2003 S.I. 2003 No. 1372 ("the Rules")

AND UPON considering the parties' written submissions in advance of the hearing

AND UPON hearing the legal representatives of the claimants and the defendant at a hearing held on 26 June 2007

AND UPON the Tribunal deciding that it would not be appropriate to give any decision until the United States District Court for the District of New Jersey has given its judgment in Civil Action No. 05-6042 (JBS) *Emerson Electric Co., et al., vs. Le Carbone Lorraine, S.A., et al. (In Re: Electrical Carbon Products Antitrust Litigation)* (the "District Court Judgment")

AND UPON the claimants agreeing to provide the Tribunal and the defendant with a copy of the District Court Judgment immediately upon that judgment being handed down

AND UPON the Tribunal considering that the issues set out in paragraph 1 of the Tribunal's Order of 13 March 2007 require further argument and submissions

IT IS ORDERED THAT:

1. The defendant file and serve a skeleton argument no later than 21 days after the handing down of the District Court Judgment, to include submissions on the District Court Judgment and any further submissions (if any) on the issues set out in paragraph 1 of the Tribunal's Order of 13 March 2007
2. The claimants shall file and serve a skeleton argument in response, if so advised, no later than 21 days after service of the defendant's skeleton argument
3. The defendant shall file and serve a skeleton argument in reply, if so advised, no later than 10 days after service of the claimants' skeleton argument
4. The matter be listed for a hearing commencing at 10:30 am on 26 September 2007, with a time estimate of 1 day
5. The parties cooperate to prepare a comprehensive chronological bundle of documents and correspondence for use at the hearing and to prepare further bundles of authorities
6. Pursuant to rule 20(5) and rule 62(1) and (2) of the Tribunal's Rules, any application for further case management directions before the hearing on 26 September 2007 may be considered by the Chairman sitting alone
7. Costs be reserved
8. There be permission to apply

Marion Simmons QC
Chairman of the Competition Appeal Tribunal

Made: 26 June 2007
Drawn: 28 June 2007