



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1104/6/8/08

**BETWEEN:**

**TESCO PLC**

Applicant

-v-

**COMPETITION COMMISSION**

Respondent

- supported by -

**ASDA STORES LIMITED**  
**MARKS AND SPENCER PLC**  
**WAITROSE LIMITED**  
**THE ASSOCIATION OF CONVENIENCE STORES**

Interveners

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**ORDER**

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**UPON** the Tribunal handing down on 3 April 2009 its judgment on the issues relating to relief raised at the further hearing on 16 March 2009 ([2009] CAT 9)

**AND UPON** Tesco having orally requested permission to appeal from that judgment at the hearing on 3 April 2009

**AND UPON** counsel for the Commission opposing the grant of permission

**IT IS ORDERED THAT:**

1. Tesco's request for permission to appeal is refused

**The Honourable Mr Justice Barling**  
President of the Competition Appeal Tribunal

Made: 3 April 2009  
Drawn: 6 April 2009