



**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

ORDER

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