



COMPETITION APPEAL TRIBUNAL

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1017/2/1/03

**Before:
Sir Christopher Bellamy (President)
Professor Paul Stoneman
Mr David Summers**

PERNOD-RICARD SA

First Appellant

-and-

CAMPBELL DISTILLERS LIMITED

Second Appellant

-and-

THE OFFICE OF FAIR TRADING

Respondent

Supported by

BACARDI-MARTINI LIMITED

Intervener

ORDER OF THE TRIBUNAL

UPON hearing the parties at the case management conference on 11 September 2003

AND UPON reading the various correspondence from the parties in relation to matters to be raised at the case management conference

AND UPON reading the skeleton argument of the respondent

AND UPON the respondent indicating that it would be in a position to submit its defence in draft form, not being limited to the issue of admissibility of the notice of appeal but being a statement of its position on the issue of admissibility and all other material issues raised by

the appellants, it being understood that such defence in draft need not at this stage fulfil all the requirements of Rule 14 of the Competition Appeal Tribunal Rules 2003 (S.I. 2003 No. 1372) ("the Rules")

AND UPON the intervener indicating that it would be in a position to submit a statement of intervention in draft which similarly contains a statement of its position on admissibility and all other material parts of the appellants' case, it being understood that such statement need not at this stage fulfil all the requirements of Rule 16(9) of the Rules

AND UPON the intervener raising the issue that the application made to the respondent to withdraw or vary its decision of 30 January pursuant to section 47(1) of the Competition Act 1998 was in the name of Pernod-Ricard SA and not in the name of Campbell Distillers Limited, the party in whose name the notice of appeal was lodged

IT IS ORDERED THAT:

1. Time for service and filing of the defence in draft be extended to 5pm on Thursday 9 October 2003.
2. The draft statement of intervention be filed and served by 5pm on Monday 3 November 2003.
3. Pernod-Ricard SA be joined as the first appellant to these proceedings and the record be amended accordingly.
4. Tuesday 9 and Wednesday 10 December 2003 be reserved for a further hearing on matters to be notified by the Tribunal at a time and venue to be determined.
5. Liberty to apply.

Sir Christopher Bellamy
President of the Competition Appeal Tribunal

Made 11 September 2003
Drawn 18 September 2003