



**IN THE COMPETITION  
APPEAL TRIBUNAL**

**Case No. 1027/2/3/04**

BETWEEN:

**VIP COMMUNICATIONS LIMITED  
(in administration)**

Appellant

-v.-

**OFFICE OF COMMUNICATIONS**

Respondent

supported by

**T-MOBILE (UK) LIMITED**

Intervener

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**ORDER**

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**UPON** the Tribunal having stayed the appeal by an Order made on 28 June 2007 until 21 days from the handing down of the judgment of the Court of Appeal in case 1024/2/3/04 *Floe Telecom Limited (in liquidation) v Office of Communications* (“the *Floe Telecom* case”)

**AND UPON** the Court of Appeal having handed down judgment in the *Floe Telecom* case ([2009] EWCA Civ 47) on 10 February 2009

**AND UPON** VIP Communications Limited (“VIP”) indicating its intention to request permission to file an amended notice of appeal under rule 11 of The Competition Appeal Tribunal Rules 2003 (SI 2003/1372) (“the Tribunal Rules”)

**AND UPON** T-Mobile (UK) Limited (“T-Mobile”) applying under rule 10 of the Tribunal Rules for an order rejecting the notice of appeal and T-Mobile and the Office of Communications (“OFCOM”) further indicating their intention to oppose VIP’s application to amend the notice of appeal

**AND UPON** considering the observations of the parties in written correspondence and at a case management conference held on 17 July 2009

**IT IS ORDERED THAT:**

1. VIP file and serve its draft amended notice of appeal together with its submissions in support of the application under rule 11 of the Tribunal Rules by 5pm on 14 August 2009.
2. OFCOM and T-Mobile file and serve any submissions in reply to VIP's application to amend its notice of appeal and any submissions in relation to the application under rule 10 of the Tribunal Rules by 5pm on 11 September 2009.
3. VIP file and serve a reply to the submissions of OFCOM and T-Mobile in relation to the rule 11 application and a response to the rule 10 application by 25 September 2009.
4. No further submissions or pleadings are to be served thereafter without the permission of the Tribunal.
5. There be liberty to apply.
6. Costs be reserved.

**Vivien Rose**  
Chairman of the Competition Appeal Tribunal

Made: 17 July 2009  
Drawn: 17 July 2009