



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1078/7/9/07

B E T W E E N:

THE CONSUMERS' ASSOCIATION

Claimant

-v-

JJB SPORTS PLC

Defendant

ORDER

UPON the Tribunal on 14 January 2008 having ordered the Defendant to pay the Claimant's reasonable costs, to be assessed if not agreed

AND UPON reading the letter dated 10 October 2008 from Clyde & Co LLP, solicitors to the Claimant, requesting that the Tribunal carry out an assessment of the Claimant's costs

AND UPON reading the letter dated 10 October 2008 from DLA Piper UK LLP, solicitors to the Defendant, requesting that the costs proceedings be transferred to the Supreme Court Costs Office for a detailed assessment

AND UPON considering the further correspondence and written submissions filed by the parties and hearing counsel for the parties at a hearing on 30 January 2009

IT IS ORDERED THAT:

1. The assessment of the Claimant's reasonable costs be transferred to the Supreme Court Costs Office for a detailed assessment.
2. The Defendant make an interim payment of costs to the Claimant of 30 per cent of the costs claimed in the Claimant's draft bill of costs dated 10 October 2008, rounded up to a digit 'x' followed by a number of zeroes.
3. The Defendant be awarded its reasonable costs, to be assessed if not agreed, of the application heard by the Tribunal on 30 January 2009 up to and including the completion of the skeleton argument filed with the Tribunal on 5 December 2008.

4. There be no order as to costs of the hearing held on 30 January 2009.
5. The costs awarded to the Defendant pursuant to this Order may be set off against the costs awarded to the Claimant pursuant to the Order of 14 January 2008, as assessed by the Supreme Court Costs Office.

Lord Carlile of Berriew QC
Chairman of the Competition Appeal Tribunal

Made: 5 February 2009
Drawn: 5 February 2009