



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1105/5/7/08

BETWEEN:

(1) FREIGHTLINER LIMITED

(2) FREIGHTLINER HEAVY HAUL LIMITED

Claimants

-and-

ENGLISH WELSH & SCOTTISH RAILWAY LIMITED

Defendant

ORDER

UPON reading the correspondence between the parties

IT IS ORDERED THAT:

1. All of the claims in the proceedings against the Defendant be withdrawn with prejudice pursuant to rule 42(1) and 42(2), such withdrawal to take effect immediately and to be binding upon all parties to the proceedings.
2. No order as to costs be made as between the Claimants and the Defendant.

Lord Carlile of Berriew QC
Chairman of the Competition Appeal Tribunal

Made: 28 January 2009
Drawn: 28 January 2009