



**IN THE COMPETITION APPEAL TRIBUNAL**

Case No: 1095/4/8/08

**BETWEEN:**

**BRITISH SKY BROADCASTING GROUP PLC**

**Applicant**

**-v-**

**(1) THE COMPETITION COMMISSION  
(2) THE SECRETARY OF STATE FOR BUSINESS, ENTERPRISE AND  
REGULATORY REFORM**

**Respondents**

**- and -**

**VIRGIN MEDIA, INC.**

**Intervener**

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**ORDER OF THE PRESIDENT**

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**UPON** the application by British Sky Broadcasting Group plc (“Sky”) for disclosure of certain documents by the Competition Commission, under the terms of the confidentiality ring established by the Tribunal’s Order of 31 March 2008

**AND UPON** reading the written submissions of the parties

**AND UPON** hearing counsel for Sky, the Competition Commission and the Secretary of State at a case management conference on 17 April 2008

**AND UPON** my giving an indication at the hearing that the reasons for granting the application would follow in writing

**IT IS ORDERED THAT:**

1. As soon as reasonably practicable and in any event by 4pm on Monday 21 April 2008, the Competition Commission serve on the solicitors for the other parties all documents submitted by or on behalf of ITV or its financial advisers and all transcripts of oral evidence by ITV or its financial advisers on which the Commission relied in finding (as summarised in paragraph 17 of the

Commission's report described in the first recital to the Tribunal's Order dated 11 March 2008) that it was likely that ITV would need to make major investments requiring external funding over the next two to three years and that a non-pre-emptive rights issue would be the only feasible or efficient funding mechanism for some investments

2. All documents supplied to the other parties pursuant to paragraph 1 above shall be supplied subject to the terms of the said confidentiality ring and the relevant undertakings given thereunder and shall be treated accordingly in their entirety
3. Costs be reserved
4. There be liberty to apply

**The Honourable Mr Justice Barling**  
President of the Competition Appeal Tribunal

Made: 17 April 2008  
Drawn: 17 April 2008