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IN THE COMPETITION APPEAL TRIBUNAL

Case No 1017/2/1/03

Victoria House
Bloomsbury Place
London WC1A 2EB

Thursday June 10 2004

Before:

The President
SIR CHRISTOPHER BELLAMY QC
(Chairman)

PROFESSOR PAUL STONEMAN
and
MR DAVID SUMMERS

B E T W E E N:

PERNOD-RICARD SA & CAMPBELL DISTILLERS LIMITED
APPLICANT

- and -

THE OFFICE OF FAIR TRADING **RESPONDENT**

MR AIDEN ROBERTSON appeared on behalf of the Applicant.

MR LOUIS CHRISTOFIDES appeared on behalf of the Respondent.

MR TONY WOODGATE appeared on behalf of the Intervener.

DISCUSSION FOLLOWING JUDGMENT

Transcribed from the shorthand notes of
Harry Counsell & Co.
Cliffords Inn, Fetter Lane, London EC4A 1LD
Telephone 020 7269 0370

1 THE CHAIRMAN: We give judgment in this case in the terms of
2 the judgment of 10 June 2004 as has already been handed
3 down and circulated to the parties.

4 We propose, subject to any observations there may be
5 this afternoon, to adjourn this case to a date to be
6 fixed with a view to deciding what relief, if any, should
7 be granted at this stage and what is the most just and
8 economical way of dealing with the remaining issues in
9 these proceedings.

10 What we have in mind is to not fix a date today but
11 to endeavour to fix what will in effect be a further Case
12 Management Conference probably at the end of July with a
13 view to seeing what happens next and to enable the
14 parties to reflect on the situation that now prevails.

15 I do not know if there are any observations or other
16 comments that anyone wants to make at this stage?

17 Mr Robertson?

18 MR ROBERTSON: Sir, I think the only thing that comes to
19 mind is whether the Tribunal would be inclined to fix the
20 timetable for submissions before that CMC?

21 THE CHAIRMAN: That would probably be a good idea, yes. We
22 will fix a suitable timetable. I do not anticipate a
23 great deal of work needs necessarily to be done to
24 produce very complicated submissions, but that remains to
25 be seen.

26 MR ROBERTSON: We would have thought they would be short
27 submissions setting out the direction in which the
28 parties think the case should proceed, so we can perhaps
29 iron that out in advance of the CMC.

30 THE CHAIRMAN: Yes. If we ask you to put in your submissions
31 on that first and then ask the OFT to reply, would that
32 be sensible?

33 MR ROBERTSON: That would be sensible, Sir.

34 THE CHAIRMAN: Thank you very much.

35 Mr Christofides?

36 MR CHRISTOFIDES: If I may introduce myself, I am Louis
37 Christofides for the OFT. Counsel is on leave this week.

38 THE CHAIRMAN: Yes, good afternoon.

1 | MR CHRISTOFIDES: I have just one technical issue. I
2 | request that costs be reserved.
3 | THE CHAIRMAN: We will reserve the costs until a later order.
4 | Are there any observations from Bacardi, Mr Woodgate?
5 | MR WOODGATE: Sir, no thank you.
6 | THE CHAIRMAN: Very well. Thank you all very much indeed for
7 | coming.
8 |
9 | (The hearing concluded)