

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No 1051/4/8/05

Victoria House,
Bloomsbury Place,
London WC1A 2EB

13 February 2006

Before:
MARION SIMMONS QC
(The Chairman)

Sitting as a Tribunal in England and Wales

BETWEEN:

SOMERFIELD PLC

Applicant

and

COMPETITION COMMISSION

Respondent

Mr Bill Hull (of TLT Solicitors) appeared for the Applicant.

Mr Julian Gregory (instructed by the Treasury Solicitor) appeared for the Respondent.

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HEARING TO HAND DOWN JUDGMENT
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1 THE CHAIRMAN: The Tribunal dismisses Somerfield's application for judicial review of the
2 decision of the Competition Commission contained in a Report entitled "A Report on the
3 acquisition by Somerfield plc of 115 stores and other assets from Wm Morrison Supermarkets
4 plc" which was notified to Somerfield on 1 September 2005 and published on 2 September
5 2005.

6 A confidential version of the judgment, which contains the Tribunal's reasons for its
7 decision, is available to the parties. This version is confidential, and whilst the document may
8 be disseminated for internal purposes it must not be published more widely by the parties.
9 The Tribunal will publish the judgment after it has considered any requests the parties wish to
10 make for confidential treatment of any part or parts of the judgment.

11 The Tribunal will hear any consequential applications which the parties may wish to
12 make in due course.
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