



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Cases No: 1160-1165/1/1/10

B E T W E E N :

**(1) IMPERIAL TOBACCO GROUP PLC**  
**(2) IMPERIAL TOBACCO LIMITED**

Appellants

- v -

**OFFICE OF FAIR TRADING**

Respondent

**CO-OPERATIVE GROUP LIMITED**

Appellant

- v -

**OFFICE OF FAIR TRADING**

Respondent

**WM MORRISON SUPERMARKETS PLC**

Appellant

- v -

**OFFICE OF FAIR TRADING**

Respondent

**(1) SAFEWAY STORES LIMITED**  
**(2) SAFEWAY LIMITED**

Appellants

- v -

**OFFICE OF FAIR TRADING**

Respondent

**(1) ASDA STORES LIMITED**  
**(2) ASDA GROUP LIMITED**  
**(3) WAL-MART STORES (UK) LIMITED**  
**(4) BROADSTREET GREAT WILSON EUROPE LIMITED**

Appellants

- v -

**OFFICE OF FAIR TRADING**

Respondent

(1) SHELL U.K. LIMITED  
(2) SHELL U.K. OIL PRODUCTS LIMITED  
(3) SHELL HOLDINGS (U.K.) LIMITED

Appellants

- v -

OFFICE OF FAIR TRADING

Respondent

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**ORDER**

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**UPON** considering the Tribunal's Order of 16 August 2010 establishing a confidentiality ring (as amended) in cases no. 1160-1165/1/1/10 ("the 2010 Order")

**AND UPON** LiveNote real-time transcription services being provided at the main hearing in these proceedings

**AND UPON** the parties agreeing to an amendment to the 2010 Order as regards individuals wishing to access LiveNote real-time transcription services out of court

**IT IS ORDERED THAT:**

1. The 2010 Order be amended as follows:

a. By the insertion of a new paragraph 6A as follows:

"6A. If any Relevant Person wishes to access the LiveNote real-time transcription service out of court ("a Remote LiveNote Connection"), they shall apply to the Tribunal (with a copy to the other parties) and, with the exception of those parties who are Relevant Persons by virtue of paragraph 2.2.2 of this Order, give a signed undertaking to the Tribunal in the terms of Part D of the Schedule to this Order"

b. By the insertion of a new Part D in the Schedule to the 2010 Order in the form set out at the Annex to this Order:

2. There be liberty to apply.

**Annex**

**PART D**

I, [name], of [firm, company or establishment] being [legal or other qualification] and regulated so far as my professional conduct is concerned by [regulatory body, if any] undertake to the Tribunal as follows:

1. I have read a copy of the Tribunal’s Order of 16 August 2010, as amended (“the Tribunal’s Order”) and understand the implications of the Tribunal’s Order and the giving of this undertaking.
2. I am a Relevant Person as referred to in paragraph 2.1 of the Tribunal’s Order.
3. I will continue to treat any Confidential Information (as defined in the Tribunal’s Order), including where disclosed to me via a Remote LiveNote Connection, in a manner consistent with the obligations imposed by the Tribunal’s Order.
4. I will take appropriate measures to ensure that any Remote LiveNote Connection (as defined in the Tribunal’s Order) provided to me is not accessed by persons other than Relevant Person, including by preventing such persons from accessing computer terminals with a Remote LiveNote Connection by means of physical and/or password protection when a Relevant Person is not in attendance.

Signed: .....

Name: .....

Date: .....