



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1266/7/7/16

B E T W E E N :

WALTER HUGH MERRICKS CBE

Applicant /
Proposed Class Representative

- and -

(1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE S.P.R.L.

Respondents /
Proposed Defendants

ORDER

UPON reading the Applicant's application by letter dated 9 December 2016 requesting an extension of time for filing and service of his Reply

AND UPON reading the letter from the Respondents' solicitors to the Applicant's solicitors dated 8 December 2016

IT IS ORDERED THAT:

1. The Applicant is granted an extension of time in which to file and serve his Reply until 4pm on 15 December 2016. The request for a further extension until 4pm on 16 December 2016 is refused.

REASONS

The Applicant has requested an extension of time in which to file and serve his Reply until 4pm on 16 December 2016. The Respondents consent to an extension only until 4pm on

15 December 2016. They say the requested extension would put them in the prejudicial position of being unable to raise with their leading Counsel, who is unavailable over the Christmas period, any issues arising from the Reply until early January.

The deadline of 4pm on 13 December 2016 for the filing of any Reply was proposed by counsel for the Applicant at the case management conference on 21 November 2016. While the Applicant had not at that stage had sight of the Respondents' Response, it could have been anticipated that it was likely to be a substantial document. The hearing of this matter will commence on 18 January 2017 and although the additional period requested by the Applicant is only 24 hours, it would cause consequential delay to the Respondents at this time of year well beyond an additional 24 hours so as to be unfair.

The Hon Mr Justice Roth
President of the Competition Appeal Tribunal

Made: 9 December 2016
Drawn: 9 December 2016