



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1326/4/12/19

B E T W E E N:

PERSONNEL HYGIENE SERVICES LIMITED

Applicant

-v-

COMPETITION AND MARKETS AUTHORITY

Respondent

-and-

RENTOKIL INITIAL PLC

Intervener

ORDER

UPON reading the notice of application lodged by the Applicant (“PHS”) under rules 9 and 26 of the Competition Appeal Tribunal Rules 2015 (S.I. No. 1648 of 2015) (“the Tribunal Rules”) on 14 May 2019

AND UPON reading the request for permission to intervene dated 22 May 2019 of Rentokil Initial PLC (“Rentokil”)

AND UPON the deadline for requests for permission to intervene having been abridged to 12 noon on 22 May 2019 pursuant to an order made on 16 May 2019

AND UPON reading the submissions of the parties filed in advance of the case management conference

AND UPON hearing counsel for the parties at a case management conference on 23 May 2019

IT IS ORDERED THAT:

Forum

1. The application be treated as proceedings in England and Wales for the purposes of Rule 18 of the Tribunal Rules.

Intervention

2. Rentokil be granted permission to intervene in support of the Respondent (the "CMA"), on condition that it take all reasonable steps to avoid any duplication of the submissions made and evidence filed by the CMA.

Confidentiality

3. A confidentiality ring be established by separate order in terms to be agreed by the parties and Rentokil. PHS shall file with the Tribunal a draft order indicating any points of disagreement by 2pm on 29 May 2019.

Future conduct of the proceedings

4. PHS shall file and serve a redline version of its amended Notice of Application by 4pm on 28 May 2019.
5. The CMA shall file and serve its Defence and any supporting evidence by 4pm on 7 June 2019.
6. Rentokil shall file and serve its Statement of Intervention and any supporting evidence by 4pm on 7 June 2019.
7. PHS shall lodge with the Tribunal six copies of an agreed bundle for the hearing by 4pm on 14 June 2019.
8. PHS shall file and serve its skeleton argument and any evidence in reply by 2pm on 20 June 2019.
9. The CMA and Rentokil shall file and serve their skeleton arguments by 2pm on 27 June 2019.
10. PHS shall file and serve an updated version of its skeleton argument to contain references to the hearing bundle by 2pm on 27 June 2019.
11. PHS shall file with the Tribunal an agreed chronology and proposed hearing timetable (Rentokil shall indicate in the proposed timetable whether it intends to make oral submissions at the hearing, currently limited to 1 hour) by 2pm on 27 June 2019.

12. PHS shall lodge with the Tribunal six copies of an agreed joint bundle of authorities by 2pm on 27 June 2019.
13. A hearing be listed for 1 and 2 July 2019 with a time estimate of 1.5 days. The hearing shall commence at 10.30am.
14. Costs be reserved.
15. There be liberty to apply.

Hodge Malek Q.C.
Chairman of the Competition Appeal Tribunal

Made: 23 May 2019
Drawn: 23 May 2019