



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

Case Nos: 1284/5/7/18 (T)  
and 1290-1295/5/7/18 (T)

BETWEEN:

**ROYAL MAIL GROUP LIMITED v DAF TRUCKS LIMITED & OTHERS**

**BT GROUP PLC & OTHERS v DAF TRUCKS LIMITED & OTHERS**

**RYDER LIMITED & ANOTHER v MAN SE & OTHERS**

**SUEZ GROUPE SAS & OTHERS v FIAT CHRYSLER AUTOMOBILES N.V. &  
OTHERS**

**VEOLIA ENVIRONNEMENT S.A. & OTHERS v FIAT CHRYSLER  
AUTOMOBILES N.V. & OTHERS**

**WOLSELEY UK LIMITED & OTHERS v FIAT CHRYSLER AUTOMOBILES N.V.  
& OTHERS**

**DAWSONGROUP PLC & OTHERS v DAF TRUCKS N.V. & OTHERS**

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**ORDER (PRELIMINARY ISSUE)**

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**HAVING REGARD TO** the case management orders made on 2-3 May 2019 directing the trial of a preliminary issue in these proceedings

**AND UPON** considering the correspondence from the parties

**IT IS ORDERED THAT:**

1. The wording of the preliminary issue to be determined in these proceedings is as follows:

Which, if any, of the Recitals, or parts of Recitals, in sections 3, 4 and 7 of the Commission's Decision dated 19 July 2016 in case AT.39824-Trucks, which are

- a. said by the Addressee Defendants in their Joint Response to the Claimants' Recital Schedules dated 5 February 2019 not to be binding; and
- b. have otherwise not been admitted by all of the Addressee Defendants; and
- c. are set out by the Claimants in their joint schedule to be served on 19 July 2019;

are binding on the Tribunal in these proceedings in respect of the Addressee Defendants such that they cannot be contested by (a) the Addressee Defendants or (b) any of the Defendants, and for what purposes are they or the operative part of the Decision binding?

**The Hon Mr Justice Roth**  
President of the Competition Appeal Tribunal

Made: 11 July 2019  
Drawn: 11 July 2019