



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

ORDER (PRELIMINARY ISSUE)

HAVING REGARD TO the order of 11 July 2019 regarding the wording of the preliminary issue in these proceedings (the “11 July Order”)

AND UPON considering the request from the solicitors for the Claimants in the Suez-Veolia-Wolseley cases for an amendment to the wording of the preliminary issue

AND UPON there being no objection from the parties

IT IS ORDERED THAT:

1. The 11 July Order is revoked.
2. 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 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: 31 July 2019
Drawn: 31 July 2019