



**IN THE COMPETITION  
APPEAL TRIBUNAL**

Case No: 1354/4/12/20

BETWEEN:

**JD SPORTS FASHION PLC**

Applicant

- v -

**COMPETITION AND MARKETS AUTHORITY**

Respondent

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**ORDER**

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**UPON** reading the notice of application lodged by the Applicant under rules 9 and 26 of the Competition Appeal Tribunal Rules 2015 (S.I. No. 1648 of 2015) ("the Tribunal Rules") on 17 June 2020 ("the Application")

**AND UPON** reading the request by Frasers Group Plc ("Frasers Group") for permission to intervene under Rule 16 of the Tribunal Rules in support of the Respondent

**AND UPON** reading the submissions of the parties and Frasers Group filed in advance of a case management conference ("CMC") on 6 July 2020

**AND UPON** hearing Counsel for the parties and Frasers Group at the CMC held remotely on 6 July 2020

**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. Fraser Group's request for permission to intervene be refused.

## **Confidentiality**

3. A confidentiality ring be established by separate order in the terms agreed by the parties.

## **Disclosure**

4. The CMA shall disclose into the confidentiality ring any "duty of candour" material and a version of the Final Report that is unredacted as regards the paragraphs that are relevant to the areas in dispute in the application by 5pm on 24 July 2020.
5. JD Sports shall, if so advised, file any application for specific disclosure by 5pm on 31 July 2020.
6. The CMA shall provide its written response to any application for specific disclosure by 5pm on 7 August 2020.

## **Future conduct of the Application**

7. The CMA shall file its Defence and any supporting witness evidence by 5pm on 16 July 2020.
8. JD Sports shall file its Reply, if so advised, by 5pm on 11 September 2020.
9. JD Sports shall file its skeleton argument by 5pm on 11 September 2020.
10. JD Sports shall lodge an agreed bundle for the hearing by 5pm on 15 September 2020.
11. The CMA shall file its skeleton argument by 5pm on 18 September 2020.

12. The skeleton arguments shall not exceed 25 pages in length in normal format and spacing.
13. JD Sports shall lodge an agreed bundle of authorities by 5pm on 18 September 2020.
14. A hearing be listed for 23 September 2020 with a time estimate of 2 days.

**General**

15. Costs in the case.
16. There be liberty to apply.

**Peter Freeman CBE QC (Hon)**  
Chairman of the Competition Appeal Tribunal

Made: 6 July 2020  
Drawn: 9 July 2020