



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1291/5/7/18 (T)

BETWEEN:

- (1) RYDER LIMITED**
- (2) HILL HIRE LIMITED**

Claimants

- and -

- (1) MAN SE**
- (2) MAN TRUCK & BUS SE**
- (3) MAN TRUCK & BUS DEUTSCHLAND GMBH**
- (4) MAN TRUCK AND BUS UK LIMITED**
- (5) AB VOLVO (PUBL)**
- (6) VOLVO LASTVAGNAR AB**
- (7) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH**
- (8) VOLVO GROUP UK LIMITED**
- (9) RENAULT TRUCKS SAS**
- (10) DAIMLER AG**
- (11) MERCEDES BENZ CARS UK LIMITED**
- (12) FIAT CHRYSLER AUTOMOBILES N.V.**
- (13) CNH INDUSTRIAL N.V.**
- (14) IVECO S.P.A.**
- (15) IVECO MAGIRUS AG**
- (16) IVECO LIMITED**
- (17) PACCAR INC.**
- (18) DAF TRUCKS N.V.**
- (19) DAF TRUCKS DEUTSCHLAND GMBH**
- (20) DAF TRUCKS LIMITED**

Defendants

CONSENT ORDER

UPON the Claimants and the Fifth to Ninth Defendants having agreed the terms of the Order set out below

AND UPON the following definitions applying for the purposes of this Order:

- **“Defendant Disclosure Categories”** means the Volvo/Renault categories set out in Annex 3 to the Disclosure Order, under the heading “Volvo/Renault”
- **“Disclosure Order”** means the Order of Hodge Malek QC drawn on 26 November 2019
- **“Re-Amended Confidentiality Ring Order”** means the Order of Mr Justice Roth made on 30 March 2020
- **“Volvo/Renault”** means the Fifth to Ninth Defendants

BY CONSENT IT IS ORDERED THAT:

1. By no later than 27 November 2020, in respect of Renault Trucks in the UK, Volvo/Renault shall disclose by list, data from their Triton system that are responsive to one or more of the Defendant Disclosure Categories, for the period 1 January 1994 to 31 December 1996 (inclusive).
2. By no later than 27 November 2020, Volvo/Renault shall disclose by list the documents in their control which they have already gathered pursuant to paragraph 6(b) of the Disclosure Order, and which are responsive to one or more of the Defendant Disclosure Categories for the period 1 January 1994 to 31 December 1996 (inclusive), but which Volvo/Renault were not previously required to disclose to the Claimants (or which they were permitted only to disclose to the Claimants in redacted form) on temporal scope grounds in respect of the period 1 January 1994 to 31 December 1996 (inclusive) (with any such redactions now to be lifted).
3. The documents to be disclosed and made available for inspection pursuant to paragraphs 1 and 2, if contained in the form of an electronic database or extract therefrom, should be provided in native electronic format or electronic excel

format, together with a statement on how the relevant information has been compiled for the database.

Disclosure into the Confidentiality Ring

4. Volvo/Renault may choose to disclose documents into the Confidentiality Ring in accordance with the Re-Amended Confidentiality Ring Order.

Disclosure Statement

5. Volvo/Renault's disclosure by list given pursuant to paragraphs 1 and 2 above shall be accompanied by a disclosure statement by an appropriate person which shall (a) set out the extent of the search that has been made in order to locate the documents to be disclosed, (b) specify the manner in which the search has been limited on reasonableness and proportionality grounds and why, and (c) certify to the best of his knowledge and belief that the disclosure ordered has been provided.

Inspection of documents and provision of copies

6. Requests for inspection of documents disclosed above shall be made within 7 days after service of the lists. Copies of documents requested to be inspected shall be provided within 7 days of making the request.

Extension of time limits

7. The parties may agree to extend any time period in this Order for a period or periods of up to 28 days in total without reference to the Tribunal, provided that this does not affect the date given for any case or costs management conference or any other court hearing or pre-trial review or the date of the trial. The parties shall notify the Tribunal in writing of the expiry date of any such extension.

Costs

8. Costs reserved.

Other

9. Liberty to apply.

Hodge Malek QC
Chairman of the Competition Appeal Tribunal

Made: 20 October 2020
Drawn: 20 October 2020