



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1266/7/7/16

B E T W E E N :

WALTER HUGH MERRICKS CBE

Applicant /
Proposed Class Representative

- and -

(1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE S.P.R.L.

Respondents /
Proposed Defendants

ORDER

UPON the application of the Applicant dated 6 September 2016 for a collective proceedings order (the “**CPO Application**”) pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 (the “**Tribunal Rules**”)

AND UPON the CPO Application being remitted to the Tribunal pursuant to the judgment of the Supreme Court dated 11 December 2020 ([2020] UKSC 51)

AND UPON hearing counsel for all parties at a case management conference on 5 February 2021

IT IS ORDERED THAT:

Publication

1. Mr Merricks shall publish the CPO Hearing and Application Notice in the form approved by the Tribunal by 4pm on 10 February 2021, by publishing it on the website mastercardconsumerclaim.co.uk and pursuant to paragraphs 5.8-5.13 of the Epiq/Hilsoft Plan exhibited at WHM6 to the First Witness Statement of Mr Merricks.

Additional submissions

2. Mr Merricks shall file and serve his updating evidence and material by 4pm on 12 February 2021.
3. Mastercard shall file and serve its additional submissions by 12 noon on 22 February 2021.
4. Mr Merricks shall file and serve his additional submissions by 12 noon on 12 March 2021.

Objections and permission to make submissions

5. Any proposed class member may apply to the Tribunal for permission to make written and/or oral submissions at the hearing on 25-26 March 2021. Any such application must be made in writing and received by the Tribunal by 4pm on 5 March 2021.
6. Any third party with a legitimate interest (who is not a member of the proposed class) may apply to the Tribunal for permission to make written and/or oral submissions at the hearing on 25-26 March 2021. Any such application must be made in writing, supported by reasons, to be received by the Tribunal by 4pm on 5 March 2021.
7. Any person with an interest (including any proposed class member) may object to the CPO Application or the authorisation of the proposed class representative by stating their reasons for objecting in writing to be received by the Tribunal by 4pm on 15 March 2021.

Skeleton arguments and bundles for the CPO Hearing

8. Mr Merricks shall file any updates to the electronic hearing bundle and five hard copies of any updates to the hearing bundle by 4pm on 16 March 2021.

9. The parties shall file and serve skeleton arguments by 4pm on 18 March 2021. Skeleton arguments shall not exceed 10 pages and are to be not less than 12-point font and 1.5 line spacing.
10. Mr Merricks shall file an electronic authorities bundle and five hard copies by 4pm on 22 March 2021. All documents in the authorities bundle (within each tab) shall be printed/copied double-sided. The Tribunal Rules and the Tribunal's Guide to Proceedings (2015) do not need to be included in the authorities bundle.

General

11. Costs be reserved.
12. There be liberty to apply.

The Hon. Mr Justice Roth
President

Jane Burgess

Prof. Michael Waterson

Made: 5 February 2021
Drawn: 8 February 2021