



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

Case Nos: 1407/1/12/21  
1411/1/12/21  
1412/1/12/21  
1413/1/12/21  
1414/1/12/21

BETWEEN:

- (1) ALLERGAN PLC  
(2) ADVANZ PHARMA CORP. LIMITED & OTHERS  
(3) CINVEN CAPITAL MANAGEMENT (V) GENERAL PARTNER LIMITED  
& OTHERS  
(4) AUDEN MCKENZIE (PHARMA DIVISION) LIMITED & ANOTHER  
(5) INTAS PHARMACEUTICALS LIMITED & OTHERS

Appellants

- v -

**COMPETITION AND MARKETS AUTHORITY**

Respondent

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**ORDER**

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**UPON HEARING** Tim Johnston for Allergan; Mark Brealey QC for Advanz; Robert O'Donoghue QC and Emma Mockford for Cinven; Sarah Ford QC and Charlotte Thomas for Auden; Robert Palmer QC, Laura Elizabeth John and Jack Williams for Intas; and Josh Holmes QC and David Bailey for the CMA, at a Case Management Conference on 8 December 2021;

**AND UPON READING** the documents on the Tribunal file recorded as having been read;

**IT IS ORDERED THAT:**

## **Forum**

1. Pursuant to Rule 18 of the Tribunal Rules, the proceedings shall be treated as proceedings in England and Wales.

## **Joint case management**

2. The appeals shall be case managed together.
3. The evidence in each appeal shall stand as evidence in other appeals.

## **List of issues**

4. The Appellants shall each file separate lists of issues as soon as possible and by no later than 4pm on 22 December 2021.
5. The CMA shall file its list of issues as soon as possible and by no later than 4pm on 14 January 2022.

## **Pleadings**

6. The Appellants shall file and serve any applications for permission to amend their Notices of Appeal, if so advised, by 4 pm on 25 February 2022.
7. If so advised, the Appellants may each file and serve Replies, together with any supporting evidence, by 4 pm on 25 February 2022.

## **Subsequent CMC**

8. A second CMC shall be listed on 21 January 2022 together with the Liothyronine appeals (Cases 1419, 1421 and 1422) with a time estimate of 1 day to deal with subsequent case management and directions to trial.

9. A third CMC shall be listed at the first mutually convenient date after 28 February 2022 with a time estimate of 1 day, if necessary, to deal with confidentiality.

**Experts**

10. The parties have permission to rely upon evidence from the following experts:
  - (a) Mr Derek Holt and Dr Rina Newton, on behalf of Advanz;
  - (b) Dr Matthew Bennett, on behalf of Cinven;
  - (c) Mr Simon Bishop, on behalf of Intas; and
  - (d) Professor Tommaso Valletti, on behalf of the CMA.
11. Costs in the case.
12. There be liberty to apply.

**The Honourable Mr Marcus Smith**  
President of the Competition Appeal Tribunal

Made: 8 December 2021  
Drawn: 21 December 2021