



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1293/5/7/18 (T)

Case: 1292/5/7/18 (T)

Case: 1294/5/7/18 (T)

(1) – (139) VEOLIA ENVIRONNEMENT S.A. AND OTHERS

Claimants

-v-

**(1) – (15) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES
N.V) AND OTHERS**

Defendants

-and-

(1) - (4) PACCAR INC. AND OTHERS

Third Parties

AND

(1) – (339) SUEZ GROUPE SAS AND OTHERS

Claimants

-v-

**(1) – (4) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES
N.V)AND OTHERS**

Defendants

-and-

(1) - (15) IVECO S.P.A. AND OTHERS

Third Parties

AND

(1) – (153) WOLSELEY UK LIMITED AND OTHERS

Claimants

-v-

**(1) - (4) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES
N.V) AND OTHERS**

Defendants

-and-

(1) - (15) MAN SE AND OTHERS

Third Parties

CONSENT ORDER

UPON directions made by the Tribunal at the Case Management Conference on 4 and 5 October 2021 in relation to the Statements of Case on Applicable Law

AND UPON the Claimants filing an application for permission to re-amend their Statement of Case on Applicable Law on 5 November 2021

AND UPON the Defendants confirming that (i) the Iveco Defendants do not rely on the German or French law of pass-on, nor do any of the other Defendants and (ii) the Defendants do not maintain or raise a limitation defence, in either English or German law, in respect of the VSW Proceedings for trucks procured in Germany on or before 11 January 2009

AND UPON the parties having agreed to the terms of this Order

BY CONSENT IT IS ORDERED THAT:

1. The Claimants have permission to re-amend their Statement of Case on Applicable Law such that it addresses only their case on German Law interest.
2. The Claimants' Re-Amended Statement of Case on Applicable Law be filed and served on the Defendants and Third Parties by 7 January 2022.
3. The date by which the Defendants and Third Parties shall file and serve any responses to the Re-Amended Statement of Case on Applicable law, to deal with German law interest is extended to 10 January 2022.
4. The Defendants shall provide to the Claimants by 4pm on 10 January 2022 draft amended Defences to reflect (as appropriate) that they will not (i) rely on the German or French law of pass-on and (ii) raise or maintain a limitation defence, in either English or German law, in respect of trucks leased/purchased in Germany on or before 11 January 2009.
5. Any Reply Statement of Case on Applicable Law be filed by the Claimants no later than four weeks after service of the Defendants' responses to the Claimants' Re-Amended Statement of Case on Applicable Law.
6. Costs in the case.
7. Liberty to apply.

Hodge Malek QC
Chairman of the Competition Appeal Tribunal

Made: 7 January 2022
Drawn: 7 January 2022