



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case Nos: 1517/11/7/22 (UM)
1266/7/7/16

BETWEEN

THE UMBRELLA INTERCHANGE FEE CLAIMANTS

-v-

THE UMBRELLA INTERCHANGE FEE DEFENDANTS

(“the Merchant Interchange Fee Umbrella Proceedings”)

-and-

WALTER HUGH MERRICKS CBE

The Merricks Class Representative

-v-

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

the Merricks Defendants

(“the Merricks Collective Proceedings”)

UMBRELLA PROCEEDINGS ORDER

UPON the Order of the President dated 4 July 2022, designating as Umbrella Proceedings the proceedings under case number and title 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings (“**the Proceedings**”)

AND UPON the President’s own motion pursuant to paragraph 2.2(a) of the Tribunal’s Practice Direction 2/2022 on Umbrella Proceedings (“**the Practice Direction**”)

AND UPON the Order of the Tribunal dated 16 March 2022 (“**the CMC Order**”)

IT IS ORDERED THAT:

The issue relating to pass-on set out in paragraph 2(e)(ii) of the CMC Order (namely, the precise method by which the pass-on issue is to be determined) is designated as a Ubiquitous Matter in accordance with the Practice Direction and forms part of the Proceedings.

REASONS

This Order formalises the position that pertained prior to the publication of the Practice Direction. It is appropriate, now that the Practice Direction has been published, to formalise the procedural position with respect to the determination of this particular issue, and this Order does no more than that.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 4 July 2022
Drawn: 4 July 2022