



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1478/5/7/22 (T)

BETWEEN

- (1) ELIOR UK HOLDINGS LIMITED**
- (2) ELIOR UK PLC**
- (3) TAYLOR SHAW LIMITED**
- (4) CATERPLUS SERVICES LIMITED**
- (5) EDWARDS AND BLAKE LIMITED**
- (6) LEXINGTON CATERING LIMITED**

Claimants

-and-

- (1) VISA EUROPE LIMITED**
- (2) VISA UK LIMITED**
- (3) VISA EUROPE SERVICES LLC**
- (4) VISA INC.**
- (5) VISA INTERNATIONAL SERVICE ASSOCIATION**

Defendants

(the “Elior Interchange Proceedings”)

ORDER

UPON the Order of the Chancellor of the High Court dated 7 April 2022 (as amended) transferring the various cases listed in the schedule to that order to the Competition Appeal Tribunal (the “**Tribunal**”), which included the Elior Interchange Proceedings (the “**Transfer Order**”)

AND HAVING REGARD TO (i) the views expressed by the President of the Tribunal at the Case Management Conference on 1-2 March 2022 in Cases 1306-1325/5/7/19 (T), 1349-1350/5/7/20 (T), 1369/5/7/20 (T), 1373-1374/5/7/20 (T), 1376/5/7/20 (T), 1383-1384/5/7/21 (T), 1385-1400/5/7/21 (T) and 1406/5/7/21 (T) (the “**Merchant Interchange Proceedings**”); (ii) the Tribunal’s Order of 16 March 2022 (“the Order”); and (iii) the Tribunal’s Ruling of 16 March 2022 ([2022] CAT 14)

AND UPON the Umbrella Proceedings Order of the President dated 4 July 2022 designating this case as a “Host Case” pursuant to Practice Direction 2/2022 (Umbrella Proceedings), such that the Ubiquitous Matters (as defined in the Practice Direction) arising in this case will be disposed of in Umbrella Proceedings (under Case No 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings) in accordance with the process set out in the Tribunal’s Order and Ruling in the Merchant Interchange Proceedings

AND UPON the letters from the Tribunal to Hill Dickinson LLP dated 19 May 2022 and 15 July 2022

AND UPON reading the applications from Hill Dickinson LLP by letters dated 5 July 2022 and 19 July 2022 for an extension of time for service pursuant to Rule 53(2)(j) of the Competition Appeal Tribunal Rules 2015 in respect of the Elio Interchange Proceedings issued in the High Court but yet to be served (the “**Application**”), in which it is recorded that the Defendants consent to the Application

IT IS ORDERED THAT:

1. The time for service of the Claim Form be extended to 31 October 2022 except that:
 - (a) the above extension shall be terminable on 30 days’ written notice by either the Claimants or the Defendants served in accordance with the below Schedule;
 - (b) accordingly, the Claim Form must be served on the Defendants (unless the parties agree otherwise in writing) before the earlier of (i) 31 October 2022; or (ii) the date falling 30 days after service of a written notice of the termination of this extension.
2. Notwithstanding this extension of time for service,:

- (a) the parties in the Elicor Interchange Proceedings shall be bound by the outcome of the any Tribunal determinations in the Merchant Interchange Fee Umbrella Proceedings (including any appeals) in respect of all Ubiquitous Matters; and
 - (b) the Defendants may apply for disclosure and information from the Claimants.
- 3. Costs in the case.
- 4. The Claim Form shall be served in accordance with the Civil Procedure Rules 1998 and the Tribunal's letter of 19 May 2022.
- 5. The parties shall have liberty to apply to the Tribunal.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 20 July 2022
Drawn: 20 July 2022

SCHEDULE

The notice referred to at paragraph 1 above shall be served:

- (i) on the Defendants by email to tom.cassels@linklaters.com, sarina.williams@linklaters.com, and Linklaters Interchange@linklaters.com or to any alternative email address that is notified to the Claimants;

- (ii) on the Claimants by email to moya.clifford@hildickinson.com, or to any alternative email address that is notified to the Defendants.