



**IN THE COMPETITION  
APPEAL TRIBUNAL**

Case No: 1291/5/7/18 (T)

BETWEEN:

- (1) RYDER LIMITED  
(2) HILL HIRE LIMITED**

Claimants

- and -

- (1) MAN SE  
(2) MAN TRUCK & BUS SE  
(3) MAN TRUCK & BUS DEUTSCHLAND GMBH  
(4) MAN TRUCK AND BUS UK LIMITED  
(5) AB VOLVO (PUBL)  
(6) VOLVO LASTVAGNAR AB  
(7) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH  
(8) VOLVO GROUP UK LIMITED  
(9) RENAULT TRUCKS SAS  
(10) DAIMLER AG  
(11) MERCEDES BENZ CARS UK LIMITED  
(12) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES  
N.V.)  
(13) CNH INDUSTRIAL N.V.  
(14) IVECO S.P.A.  
(15) IVECO MAGIRUS AG  
(16) IVECO LIMITED  
(17) PACCAR INC.  
(18) DAF TRUCKS N.V.  
(19) DAF TRUCKS DEUTSCHLAND GMBH  
(20) DAF TRUCKS LIMITED**

Defendants

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**ORDER**

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UPON the Claimants' application dated 26 July 2022

AND UPON Leading Counsel for the Claimants and the Volvo/Renault and Daimler Defendants at the hearing on 20 September 2022

**AND UPON** the following definition applying for the purpose of this Order:

**“Bundled Products Pleas”** means paragraph 38(a)(iA) of the Daimler Defendants' Re-Re-Amended Defence and paragraphs 3(d), 37 and 38 of the Volvo/Renault Defendants' Re-Re-Amended Defence.

**IT IS ORDERED THAT:**

1. The Volvo/Renault and Daimler Defendants shall by 4pm on 28 October 2022 disclose to the Claimants the relevant documents which are part of the Commission's administrative file relating to its investigation in Case AT/39824 which were previously withheld from disclosure:
  - (a) pursuant to paragraph 1(1) of the Excluded Categories of Disclosure Order made by Rose J on 18 December 2017 in Claim No. HC-2016-003442; and
  - (b) under category P *"documents relating to the market for and pricing of spare parts"* as set out in Schedule 1 of the Iveco Defendants' disclosure statement dated 21 September 2018 and paragraph 18 of Annex 1 to the DAF Defendants' disclosure statement dated 21 September 2018.
2. Disclosure does not need to be given in respect of documents from either category (a) or category (b) above which relate expressly and solely to:
  - (a) spare parts; and/or
  - (b) markets other than the UK.
3. The parties may choose to disclose confidential documents or information into the Confidentiality Ring in accordance with the terms of the Re-Re-Amended Confidentiality Ring Order dated 4 December 2020.
4. The disclosure referred to in paragraph 1 shall be accompanied by a statement of truth signed by an appropriate person. The disclosure statement should state the number of documents disclosed and specify any documents (or parts of

documents) that are being withheld on the grounds of legal professional privilege or on the grounds that they contain leniency material. The disclosure statement should be filed with the Tribunal.

5. At the same time as filing and serving their expert report in reply, the Claimants shall file and serve on the Volvo/Renault and Daimler Defendants a Schedule of any instances of collusion from the disclosure referred to in paragraph 1 above on which they rely as showing collusion in relation to the supply of products/services falling within the scope of the Bundled Products Pleas.
6. By no later than 4pm on the day falling six weeks after the Claimants' expert reports in reply are served, the Volvo/Renault and Daimler Defendants shall file and serve any additional expert reports in reply to any part of the expert report referred to in paragraph 5 above which relates to the documents disclosed pursuant to this order.
7. The Volvo/Renault and Daimler Defendants shall have liberty to apply to adduce additional factual evidence in relation to the pricing of products/services within the scope of their Bundled Products Pleas.
8. The Claimants shall have liberty to apply for disclosure of documents relating to spare parts.
9. Costs in the case.
10. The Daimler and Volvo/Renault Defendants have liberty to apply to claim privilege on Pergan grounds, if so advised, at the same time as providing the disclosure set out in paragraph 1.