



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

Case No: 1287/5/7/18

BETWEEN:

**(1) ASDA STORES LIMITED**  
**(2) ARGOS LIMITED and others**  
**(3) WM MORRISON SUPERMARKETS PLC**

Claimants

- v -

**(1) MASTERCARD INCORPORATED**  
**(2) MASTERCARD INTERNATIONAL INCORPORATED**  
**(3) MASTERCARD EUROPE SA**  
**~~(4) MASTERCARD UK MEMBERS FORUM LIMITED~~**  
**(5) MASTERCARD/EUROPAY UK LIMITED**

Defendants

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**ORDER**

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**UPON** the Tribunal's Order made on 13 June 2022, as varied by the Tribunal's Order made by consent on 13 August 2022 (the "Directions Order")

**AND UPON** the parties filing their respective signed expert reports on 16 August 2022

**AND UPON** considering the letter from the Claimants' solicitors dated 3 October 2022 requesting the Tribunal's permission to rely on a second witness statement dated 28 September 2022 by Richard Sykes of Asda Stores Limited ("Sykes 2")

**AND UPON** the Defendants consenting to the Claimants relying on Sykes 2

**IT IS ORDERED BY CONSENT THAT:**

1. The Claimants shall be permitted to rely on Sykes 2, which shall be filed and served within seven days of this Order being made.

2. Costs in the case.
3. Liberty to apply.

**The Hon Mrs Justice Bacon**  
Chair of the Competition Appeal Tribunal

Made: 3 October 2022  
Drawn: 3 October 2022