



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1287/5/7/18

BETWEEN:

- (1) ASDA STORES LIMITED
(2) ARGOS LIMITED AND HOMEBASE LIMITED
(3) WM MORRISON SUPERMARKETS LIMITED

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

ORDER

UPON High Court proceedings being commenced in the Commercial Court by Argos Limited and HHGL Limited (formerly known as Homebase Limited) (“**the Claimants**”) against the Defendants under claim number 2012 Folio 1306 (and subsequently under claim number CL-2012-000767) (“**the Argos/Homebase Proceedings**”)

AND UPON the Argos/Homebase Proceedings being transferred to the Tribunal to determine the Claimants’ quantum claim and to be case-managed alongside the claims brought by Asda Stores Limited and WM Morrison Supermarkets Limited (formerly WM Morrison Supermarkets PLC), also under case number 1287/5/7/18, pursuant to paragraph 16 of the Order of the Court of Appeal dated 4 July 2018

AND UPON the Claimant and Defendants entering into a confidential Settlement Agreement dated 23 September 2022, copies of which shall be retained by the parties’ legal representatives

AND UPON the Claimants and the Defendants, by their legal representatives, having agreed the terms of the Order set out below, pursuant to Rule 44(1)(a) of the Competition Appeal Tribunal Rules 2015

IT IS ORDERED BY CONSENT THAT:

1. The entirety of the Claimants' claim in the Argos/Homebase Proceedings against the Defendants is withdrawn.
2. For the avoidance of doubt, the claims brought by Asda Stores Limited and WM Morrison Supermarkets Limited against the Defendants are not withdrawn.
3. There shall be no order as to costs.

The Hon Mrs Justice Bacon
Chair of the Competition Appeal Tribunal

Made: 6 October 2022
Drawn: 6 October 2022