



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: As specified in the Schedule to this Order

BETWEEN:

FBE REALISATIONS 2021 LIMITED (IN ADMINISTRATION)

Claimant

- v -

VISA EUROPE LIMITED & OTHERS

Visa Defendants

AND BETWEEN:

FBE REALISATIONS 2021 LIMITED (IN ADMINISTRATION)

Claimant

- v -

MASTERCARD INCORPORATED & OTHERS

Mastercard Defendants

CONSENT ORDER

UPON the Order of the High Court dated 7 April 2022 (as amended) transferring these proceedings to the Competition Appeal Tribunal

AND UPON the Claimants agreeing to be bound by the determination of any issues which are common to the claims in these proceedings and to the jointly case managed claims in 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings (the "**Merchant Proceedings**")

AND UPON the Umbrella Proceedings Order of the President dated 4 July 2022 designating the proceedings specified in the Schedule to this Order as Host Cases in Case No 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings

AND UPON READING the letter of Stephenson Harwood LLP dated 20 October 2022 and the accompanying draft consent order signed by the parties

AND HAVING REGARD TO the Tribunal's Order of 16 March 2022 ("the March 2022 Order") appended to the Tribunal's Ruling of 16 March 2022 ([2022] CAT 14)

BY CONSENT IT IS ORDERED THAT:

1. The deadline for service of the Claim Forms in these proceedings be extended to 14 days from the date of this Order.
2. Upon service of the Claim Forms, the proceedings be stayed immediately until further order ("**the Stay**") in accordance with the terms of paragraph 4 of the March 2022 Order.
3. The Claimant shall not be required to serve any Particulars of Claim during the Stay and time for serving the Particulars of Claim shall be extended until 12 weeks after the date of the order lifting the Stay, unless the Tribunal shall order otherwise.
4. Notwithstanding the Stay, a party in the Merchant Proceedings may make an application for the Claimant to provide information or disclosure on the condition that the Tribunal considers such information or disclosure strictly necessary to resolve a wider issue in the Merchant Proceedings.
5. Should the Stay be lifted, the Defendants' ability to make any application pursuant to CPR 17.2(2) shall not be prejudiced as a consequence of their agreement to this Order.
6. There be liberty to apply.
7. Costs in the case.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 26 October 2022
Drawn: 26 October 2022

SCHEDULE

CAT Case No.	High Court Claim No.	Case Name
1452/5/7/22 (T)	CP-2021-000014	FBE Realisations 2021 Limited (in administration) v Visa Europe Limited and others
1464/5/7/22 (T)	CP-2021-000013	FBE Realisations 2021 Limited (in administration) v Mastercard Incorporated and others