



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1510/5/7/22 (T)

BETWEEN:

- (1) **WHITBREAD GROUP PLC**
(2) **WHITBREAD PLC**
(3) **COSTA LIMITED**
(4) **PREMIER INN HOTELS LIMITED**

Claimants

- v -

- (1) **MASTERCARD INCORPORATED**
(2) **MASTERCARD INTERNATIONAL INCORPORATED**
(3) **MASTERCARD EUROPE S.A.**
(4) **MASTERCARD/EUROPAY UK LIMITED**

Defendants

ORDER

UPON the Claimants commencing proceedings by way of a Part 7 Claim Form on 23 November 2016

AND UPON the Order of the President of the Competition Appeal Tribunal (the "**Tribunal**") dated 13 July 2022 granting the extension of time for service of the Claim Form in the Proceedings until 31 October 2022

AND UPON the letter to the Tribunal from Mishcon de Reya LLP dated 28 October 2022 seeking an extension of time for service

AND UPON the Claimants and the Defendants by their respective legal representatives having agreed to the terms of this Order

AND HAVING REGARD TO Rule 53(2)(j) of the Competition Appeal Tribunal Rules 2015

BY CONSENT IT IS ORDERED THAT:

1. There be an extension of the time for service of claim form HC-2016-003344 (the "**Claim Form**") (the "**Extension**") until 14 November 2022 (the "**Deadline**").
2. There be permission to terminate the Extension on 30 days' written notice by either the Claimant or the Defendants. Accordingly, the Claim Form must (unless otherwise agreed in writing) be served on the Defendants before the earlier of (i) the Deadline; and (ii) the date falling 30 days after service of the written notice to terminate the Extension.
3. Such notice is to be served by email:
 - i. on the Claimants to sarah.houghton@mishcon.com, gwen.ballin-reeler@mishcon.com and zachery.obrien@mishcon.com (or to any alternative that is notified in writing to the Defendants); and
 - ii. on the Defendants to ncotter@jonesday.com, sbatley@jonesday.com, rwarke@jonesday.com and nquinn@jonesday.com (or to any alternative that is notified in writing to the Claimants).
4. Such notice under paragraph 2 shall take effect on the day that it is sent.
5. The costs of this order will be in the case.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 28 October 2022
Drawn: 28 October 2022