



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1435/5/7/22 (T)

BETWEEN:

- (1) PSA AUTOMOBILES SA
- (2) GIE PSA TRÉSORERIE
- (3) STELLANTIS NV
- (4) OPEL AUTOMOBILE GMBH
- (5) FCA ITALY SPA
- (6) FCA SRBIJA D.O.O. KRAGUJEVAC
- (7) FCA POLAND SA
- (8) MASERATI SPA
- (9) SOCIETA EUROPEA VEICOLI LEGGERI (SEVEL) SPA

Claimants

- v -

- (1) AUTOLIV AB
- (2) AUTOLIV, INC.
- (3) AUTOLIV JAPAN LTD
- (4) AUTOLIV B.V. & CO. KG
- (5) AIRBAGS INTERNATIONAL LTD
- (6) ZF TRW AUTOMOTIVE HOLDINGS CORP.
- (7) ZF AUTOMOTIVE SAFETY GERMANY GMBH
- (8) ZF AUTOMOTIVE GERMANY GMBH
- (9) TRW SYSTEMS LTD
- (10) ZF AUTOMOTIVE UK LTD
- (11) TOKAI RIKAI CO., LTD
- ~~(12) TOYODA GOSEI CO., LTD~~

Defendants

ORDER

UPON the Claimants issuing their Claim Form in the High Court, Chancery Division on 22 December 2020 under Claim No. CP-2020-000023 and the claim being transferred to the Competition Appeal Tribunal pursuant to the Order of Master Pester of 10 February 2022 with Case No: 1435/5/7/22 (T) (the “**Claim**”)

AND UPON the Tribunal’s Order made on 7 June 2022 at the case management conference in these proceedings (the “**Tribunal’s CMC Order**”)

AND UPON the Claimants’ application dated 27 October 2022 seeking permission to join Vauxhall Motors Ltd and Opel España SLU (the “**Additional Claimants**”) as claimants to the Claim

AND UPON the Additional Claimants having filed a document recording their agreement in signed writing to become Claimants herein pursuant to CPR 19A PD paragraph 2.1, treated as filed with the Tribunal on 27 October 2022

AND UPON the First to Fifth, Sixth to Tenth and Eleventh Defendants confirming through their respective solicitors that they consent to adding the Additional Claimants to the proceedings

BY CONSENT IT IS ORDERED THAT:

1. ADDITION OF CLAIMANTS TO THE PROCEEDINGS

1.1 Without prejudice to any defence (including as to limitation) that the Defendants may raise, the Claimants shall be permitted to add the following parties to their Claim as claimants.

(a) Vauxhall Motors Ltd; and

(b) Opel España SLU

1.2 Without prejudice to any reliance which they may place on s.32 of the Limitation Act 1980, the claims pursued by the Additional Claimants shall be treated as having been brought on the date of this Order, and the commencement of their claims shall not be treated as relating back to the date of issue of the Claim Form.

1.3 The Claimants shall amend their Re-Amended Claim Form to reflect the addition of the Additional Claimants, that Re-Re-Amended Claim Form shall be filed and served within 14 days of the made date of this Order.

2. AMENDMENTS TO STATEMENTS OF CASE

2.1 The Claimants shall:

- (a) amend their Amended Particulars of Claim to reflect the claims of the Additional Claimants; and
 - (b) file and serve those Re-Amended Particulars of Claim by the date set out in paragraph 7.2 of the Tribunal's CMC Order (i.e. 28 October 2022).
- 2.2 The amendments which the Claimants have permission to make pursuant to paragraph 2.1 are limited to those amendments strictly necessary to add the claims of the Additional Claimants.
- 2.3 The Re-Amended Particulars of Claim to which paragraph 2.1 refers shall however also include any other amendments which the Claimants have permission to make pursuant to the terms of the Tribunal's CMC Order.

3. COSTS

- 3.1 The Claimants shall pay the Defendants' costs consequent on the amendments made pursuant to paragraph 2.1(a) of this Order.
- 3.2 Save as aforesaid, costs shall be reserved.

Justin Turner KC
Chair of the Competition Appeal Tribunal

Made: 31 October 2022
Drawn: 31 October 2022