



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1292/5/7/19 (T)
1293/5/7/18 (T)
1294/5/7/18 (T)

BETWEEN:

(1) – (339) SUEZ GROUPE SAS AND OTHERS

Claimants

-v-

**(1) – (4) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES
N.V.) AND OTHERS**

Defendants

-and-

(1) – (15) IVECO S.P.A AND OTHERS

Third Parties

“Suez Proceedings”

AND

(1) – (139) VEOLIA ENVIRONNEMENT S.A. AND OTHERS

Claimants

-v-

**(1) – (15) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES
N.V.) AND OTHERS**

Defendants

-and-

(1) – (4) PACCAR INC. AND OTHERS

Third Parties

“Veolia Proceedings”

AND

(1) – (154) WOLSELEY UK LIMITED AND OTHERS

Claimants

-v-

**(1) - (4) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES N.V.)
AND OTHERS**

Defendants

-and-

(1) – (15) TRATON SE AND OTHERS

Third Parties

**“Wolseley Proceedings”
(together, the “VSW Proceedings”)**

CONSENT ORDER

UPON the Order made by the Honourable Mr Justice Roth in these proceedings on 3-4 March 2022 (the "**Test Claimant Order**"), in particular paragraph 3 thereof which identified which Claimants would be the subject of a trial listed to start on 9 April 2024 for 28 weeks (the "**Veolia Test and Associated Losses Claimants**", the "**Suez Test and Associated Losses Claimants**" and the "**Wolseley Test and Associated Losses Claimants**", together the "**Test and Associated Losses Claimants**")

AND UPON the Parties’ engaging in a Redfern Schedule process in respect of disclosure requests relating to pass-on

IT IS ORDERED THAT:

1. On a rolling basis and in any event by 4pm on 25 November 2022, the Test and Associated Losses Claimants shall disclose the documents and/or data listed in Annex 1 to this Order.
2. On a rolling basis and in any event by 4pm on 25 November 2022, Claimants other than Test and Associated Losses Claimants, which hold documents and/or data which relate to the Test and Associated Losses Claimants and which are responsive to the categories in Annex 1 to this Order, shall disclose such documents and/or data.

Disclosure into Confidentiality Ring

3. The Test and Associated Losses Claimants (and, if relevant, Claimants other than Test and Associated Losses Claimants) may choose to disclose documents, data or information into the Confidentiality Ring in accordance with the Re-Re-Amended Confidentiality Ring Order made on 18 December 2020.

Disclosure statement

4. Any disclosure given pursuant to paragraphs 1, 2 and 3 shall be accompanied by a disclosure statement(s) by an appropriate person(s) which shall:
 - (a) set out the extent of the search that has been made in order to locate the documents to be disclosed;
 - (b) specify the manner in which the search has been limited on reasonableness and proportionality grounds and why;
 - (c) Where the categories in Annex 1 provide for a representative sample of relevant documents and/or data to be provided, set out the basis on which such a sampling approach has been adopted, and an explanation as to why this is reasonable and proportionate in the circumstances; and
 - (d) certify to the best of their knowledge and belief that the disclosure ordered has been provided.

Inspection of documents and provision of copies

5. The Test and Associated Losses Claimants (and, if relevant, Claimants other than Test and Associated Losses Claimants) shall provide simultaneous disclosure and inspection of the documents and/or data referred to in Annex 1 to this Order.

Costs

6. Costs in the case.

Other

7. The parties have liberty to apply.

Hodge Malek KC
Chair of the Competition Appeal Tribunal

Made: 16 November 2022
Drawn: 16 November 2022