



**IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
QUEENS BENCH DIVISION**

BEFORE THE HONOURABLE MR JUSTICE HORNER

on Friday the 23rd day of September 2022

Between

CAHAL FAULKNER, JOHN FAULKNER, SUSAN FAULKNER TRADING AS C FAULKNER
& SONS

Plaintiffs

and

AKTIEBOLAGET VOLVO (PUBL)

Defendant

UPON the Defendant having issued and served an application for an order for a transfer of these proceedings to the Competition Appeal Tribunal ("the CAT") pursuant to Regulation 2(a) of the Section 16(1) Enterprise Act 2002 Regulations 2015 ("the Regulations")

AND UPON the Plaintiffs consenting to this application subject to the conditions set out in the Order below

AND UPON reading the documents recorded in the Court file as having been read

AND UPON the Court concluding, in the light of all the circumstances of the case, including the views of the parties, that it is appropriate to make an Order pursuant to Regulation 2(a) of the Regulations in respect of these proceedings

IT IS ORDERED

1. These proceedings be transferred to the CAT pursuant to Regulation 2(a) of the Regulations;
2. For the avoidance of doubt, this Order is made subject to the following conditions:
 - a. All proceedings of the CAT with respect to these proceedings shall be conducted in Northern Ireland;
 - b. Any appeal to the Court of Appeal against the determination by the CAT of any issue in the proceedings shall lie to His Majesty's Court of Appeal in Northern Ireland ("the HMCANI");

- c. Any appeal to the HMCANI against the determination by the CAT of any issue in the proceedings shall be governed by the Rules of the Court of Judicature (Northern Ireland) 1980;
- d. The Defendant will not avail of any limitation defence which may arise from the transfer of these proceedings to the CAT. However, the Defendant remains at liberty to avail of any other limitation defence(s) which had accrued in the High Court proceedings;
- e. The Court may give such further directions or make such further order as it thinks fit in connection with the transfer and/or with any of the matters referred to at 2.a. to 2.c. above.

3. Costs reserved.

4. Liberty to apply.

Gareth Pitman
Proper Officer

Filed Date 28 September 2022