



IN THE COMPETITION
APPEAL TRIBUNAL

Case No. 1483/5/7/22 (T)

BETWEEN:

- (1) ALLIANZ INSURANCE PLC
- (2) ALLIANZ BUSINESS SERVICES LIMITED
- (3) FAIRMEAD INSURANCE LIMITED
- (4) HOME AND LEGACY INSURANCE SERVICES LIMITED
- (5) LIVERPOOL VICTORIA INSURANCE COMPANY LIMITED
- (6) PET PLAN LIMITED

Claimants

- v -

- (1) VISA EUROPE LIMITED
- (2) VISA EUROPE SERVICES LLC
- (3) VISA UK LIMITED
- (4) VISA INC.

Defendants

CONSENT ORDER

UPON the claim form in these proceedings being issued in the High Court on 6 November 2020 (CP-2020-000019) (the “**Claim Form**”)

AND UPON the Order of the Chancellor of the High Court dated 7 April 2022 (as amended) transferring the various cases listed in the schedule to that order (which included these proceedings) to the Competition Appeal Tribunal (the “**Transfer Order**”)

AND HAVING REGARD TO (i) the views expressed by the President of the Tribunal at the Case Management Conference on 1-2 March 2022 in Cases 1306-1325/5/7/19 (T), 1349-1350/5/7/20 (T), 1369/5/7/20 (T), 1373-1374/5/7/20 (T), 1376/5/7/20 (T), 1383-1384/5/7/21 (T), 1385-1400/5/7/21 (T) and 1406/5/7/21 (T) (the “**Merchant Interchange**”

Proceedings”); (ii) the Tribunal’s Order of 16 March 2022 following such CMC (the **“March 2022 Order”**); and (iii) the Tribunal’s Ruling of 16 March 2022 ([2022] CAT 14) (the **“Ruling”**)

AND UPON the Umbrella Proceedings Order of the President dated 4 July 2022 designating this case as a “Host Case” pursuant to the Tribunal’s Practice Direction 2/2022 (Umbrella Proceedings), such that the Ubiquitous Matters (as defined in the Practice Direction) arising in this case will be disposed of in Umbrella Proceedings (under Case No 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings) in accordance with the process set out in the Tribunal’s March 2022 Order and Ruling in the Merchant Interchange Proceedings

AND UPON the Tribunal’s letter dated 19 May 2022

AND UPON the Parties agreeing to the terms set out in paragraph 4 of the March 2022 Order

AND UPON reading the letter of 15 November 2022 from Pinsent Masons LLP seeking a stay of the proceedings and the accompanying draft consent order signed by the parties

BY CONSENT IT IS ORDERED THAT:

1. The Claimants shall have permission to make amendments to the Claim Form in the form provided to the Tribunal and Defendants on 15 November 2022 (the **“Amended Claim Form”**), such that the name of the Fourth Defendant is amended from Visa Incorporated to Visa Inc.
2. The Amended Claim Form shall be served in accordance with the Civil Procedure Rules 1998 and the Tribunal’s letter of 19 May 2022.
3. Upon service of the Amended Claim Form, the proceedings shall be stayed immediately until further order on the terms set out in paragraph 4 of the March 2022 Order (the **“Stay”**).

4. The Claimants shall not be required to serve any Particulars of Claim during the Stay and time for serving Particulars of Claim shall be extended until 12 weeks after the date of the order lifting the Stay, unless the Tribunal orders otherwise.
5. Notwithstanding the Stay, the parties in the proceedings shall be bound by the outcome of any Tribunal determinations in the Merchant Interchange Fee Umbrella Proceedings (including any appeals) in respect of all designated Ubiquitous Matters.
6. Notwithstanding the Stay, the Claimants remain liable to provide information or disclosure if the Tribunal considers such information or disclosure necessary to resolve a wider issue in the Merchant Interchange Fee Umbrella Proceedings.
7. There be liberty to apply.
8. Costs in the case.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 6 December 2022
Drawn: 6 December 2022