



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1378/5/7/20

BETWEEN:

(1) EPIC GAMES, INC.
(2) EPIC GAMES INTERNATIONAL S.À R.L

Claimants

- v -

(1) ALPHABET INC.
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LTD
(5) GOOGLE PAYMENT LIMITED

Defendants

ORDER

FURTHER TO the Tribunal's order made on 6 December 2021 and drawn on 21 December 2021 (the "**First Directions Order**")

AND FURTHER TO the Tribunal's order made and drawn on 25 May 2022 (the "**Second Directions Order**")

AND UPON the parties and Competition and Markets Authority having agreed to the terms of this order

BY CONSENT IT IS ORDERED THAT:

1. Paragraph 10 of the First Directions Order is amended to read: "*The parties shall file and exchange signed statements of witnesses of fact and hearsay notices where required by CPR 33.2 by 4pm on 9 February 2023, such witness statements to stand as evidence-in-chief at trial*".
2. Paragraph 11 of the First Directions Order is amended to read: "*The parties shall have permission to file and exchange any reply statements of witness of fact and any hearsay*

notices where required by CPR 33.2 by 4pm on 23 March 2023, such witness statements to stand as evidence-in-chief at trial”.

3. Paragraph 13 of the First Directions Order is amended to read: *“The parties shall file and exchange expert reports by 4pm on 11 May 2023”.*
4. Paragraph 14 of the First Directions Order is amended to read: *“Any expert reports in reply shall be filed and served by 4pm on 29 June 2023”.*
5. Paragraph 15 of the First Directions Order is amended to read: *“The experts shall meet to discuss the expert reports by 27 July 2023 and shall file and serve a joint expert report by no later than 4pm on 15 September 2023”.*
6. Paragraph 17 of the First Directions Order is amended to read: *“By no later than 14 days after the outcome of the US Proceedings, the parties are to attend on the CAT Registry to fix (i) a Pre-Trial Review; and (ii) the date for trial which shall not be before [27 November 2023]”.*
7. Paragraph 18 of the First Directions Order is amended to read: *“The Claimants shall file and serve their written openings by 4pm on 27 October 2023. The Defendants shall file and serve their written openings by 4pm on 10 November 2023”.*
8. Paragraph 8 of the Second Directions Order is amended to read: *“The CMA shall file and serve its written observations pursuant to Rule 50(2) of the Tribunal Rules by 5pm on 8 September 2023”.*
9. Paragraph 9 of the Second Directions Order is amended to read: *“If so advised, parties file and serve written observations on the CMA’s written observations by 5pm on 6 October 2023”.*
10. No order as to costs.
11. There shall be liberty to apply.

Sir Marcus Smith

President of the Competition Appeal Tribunal

Made: 16 December 2022

Drawn: 16 December 2022