



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case Nos: 1441/7/7/22  
1442/7/7/22  
1443/7/7/22  
1444/7/7/22

BETWEEN:

**COMMERCIAL AND INTERREGIONAL CARD CLAIMS I LIMITED**

Applicant /  
Proposed Class Representative

- v -

- (1) MASTERCARD INCORPORATED
- (2) MASTERCARD INTERNATIONAL INCORPORATED
- (3) MASTERCARD EUROPE SA
- (4) MASTERCARD/EUROPAY UK LIMITED
- (5) MASTERCARD UK MANAGEMENT SERVICES LIMITED
- (6) MASTERCARD EUROPE SERVICES LIMITED

Respondents /  
Proposed Defendants

AND BETWEEN:

**COMMERCIAL AND INTERREGIONAL CARD CLAIMS II LIMITED**

Applicant /  
Proposed Class Representative

- v -

- (1) MASTERCARD INCORPORATED
- (2) MASTERCARD INTERNATIONAL INCORPORATED
- (3) MASTERCARD EUROPE SA
- (4) MASTERCARD/EUROPAY UK LIMITED
- (5) MASTERCARD UK MANAGEMENT SERVICES LIMITED
- (6) MASTERCARD EUROPE SERVICES LIMITED

Respondents /  
Proposed Defendants

AND BETWEEN:

**COMMERCIAL AND INTERREGIONAL CARD CLAIMS I LIMITED**

Applicant /  
Proposed Class Representative

- v -

- (1) VISA INC.
- (2) VISA INTERNATIONAL SERVICE ASSOCIATION
- (3) VISA EUROPE SERVICES LLC
- (4) VISA EUROPE LIMITED
- (5) VISA UK LTD

Respondents /  
Proposed Defendants

AND BETWEEN:

**COMMERCIAL AND INTERREGIONAL CARD CLAIMS II LIMITED**

Applicant /  
Proposed Class Representative

- v -

- (1) VISA INC.
- (2) VISA INTERNATIONAL SERVICE ASSOCIATION
- (3) VISA EUROPE SERVICES LLC
- (4) VISA EUROPE LIMITED
- (5) VISA UK LTD

Respondents /  
Proposed Defendants

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**ORDER**

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**UPON** the Proposed Class Representatives' collective proceedings claim forms dated 1 June 2022 and applications for a collective proceedings order pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 (the "Tribunal Rules")

**AND UPON** reading the skeleton arguments filed by the parties

**AND UPON** the parties having agreed to the directions in this Order save for paragraph 7

**AND UPON** hearing Leading Counsel for the Proposed Class Representatives and Leading Counsel for each of the Proposed Defendants at a case management conference held remotely on 13 December 2022

**IT IS ORDERED THAT:**

**Forum**

1. Pursuant to Rules 18, 52 and 74 of the Tribunal Rules the applications for a Collective Proceedings Order in Case Nos. 1441-1444/7/7/22 (together, the “CPO Applications”) are to be treated as proceedings in England and Wales.

**Joint case management**

2. All four CPO Applications shall be case managed together for the purposes of the CPO certification hearing.

**Publicity**

3. The Proposed Class Representatives shall provide the Proposed Defendants with draft Publicity Notices in respect of the CPO Applications by 4pm on 19 December 2022.
4. The Proposed Defendants shall submit to the Proposed Class Representatives any comments to the relevant draft Publicity Notice by 4pm on 21 December 2022.
5. The Proposed Class Representatives shall submit to the Proposed Defendants any responses to their comments on the Draft Publicity Notices by 4pm on 23 December 2022.
6. The Proposed Class Representatives shall submit draft Publicity Notices to the Tribunal for its consideration by 4pm on 30 December 2022. To the extent that any disagreements remain between the parties, each party shall submit short written submissions addressing the points of disagreement by the same deadline.

### **CPO Application pleadings**

7. The Proposed Defendants shall file and serve their Responses to the relevant CPO Applications, including any evidence upon which they rely, by 4pm on 20 February 2023.
8. The Proposed Class Representatives shall file their Replies to the Responses, including any evidence upon which they rely, by 4pm on 13 March 2023.

### **Interested Persons**

9. Interested non-parties shall be permitted to make any objections to the CPO Applications and/or file any observations in respect of the CPO Applications by 4pm on 17 March 2023.

### **Hearing**

10. Electronic Bundles shall be filed by 4pm on 24 March 2023.
11. Skeleton Arguments shall be filed by 4pm on 27 March 2023.
12. Electronic Authorities Bundles shall be filed by 4pm on 28 March 2023.
13. There shall be a hearing of the CPO Applications to take place from 3 to 5 April 2023, with a time estimate of two to three days.

### **General**

14. Costs in the case.
15. There shall be liberty to apply.
16. By agreement the parties may vary without further order any deadline in this Order provided that they inform the Tribunal of such agreement in advance of the expiry of the relevant deadline and the extension does not affect the dates of any listed hearings.

**Ben Tidswell**

Chair of the Competition Appeal Tribunal

Made: 13 December 2022

Drawn: 15 December 2022