



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1287/5/7/18

BETWEEN:

- (1) ASDA STORES LIMITED
(2) ~~ARGOS LIMITED AND HOMEBASE LIMITED~~
(3) WM MORRISON SUPERMARKETS LIMITED

Claimants

- v -

- (1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE SA
(4) ~~MASTERCARD UK MEMBERS FORUM LIMITED~~
(5) MASTERCARD/EUROPAY UK LIMITED

Defendants

ORDER

UPON High Court proceedings being commenced in the Commercial Court by the Claimants against the Defendants under (i) claim number 2012 Folio 703 (subsequently referenced as CL-2012-000299) in respect of Asda Stores Limited (the “**Asda Proceedings**”); and (ii) claim number 2012 Folio 699 (subsequently referenced as CL-2012-000959) in respect of WM Morrison Supermarkets Limited (the “**Morrison Proceedings**”)

AND UPON the Asda Proceedings and the Morrison Proceedings being transferred to the Tribunal to determine the Claimants’ quantum claims and to be case managed alongside the claims of Argos Limited and HHGL Limited (formerly Homebase Limited) under case number 1287/5/7/18 pursuant to paragraph 16 of the Order of the Court of Appeal dated 4 July 2018

AND UPON the above-mentioned claims of Argos Limited and HHGL Limited being withdrawn pursuant to the Tribunal’s Order made on 6 October 2022

AND UPON each Claimant entering into a confidential Settlement Agreement with the Defendants dated 11 January 2023 (in respect of the Asda Proceedings) and 12 January 2023 (in respect of the Morrisons Proceedings), copies of which shall be retained by the parties' legal representatives

AND UPON the Claimants and the Defendants, by their legal representatives, having agreed the terms of the Order set out below, pursuant to Rule 44(1)(a) of the Competition Appeal Tribunal Rules 2015

IT IS ORDERED BY CONSENT THAT:

1. The entirety of the Claimants' claims in the Asda Proceedings and the Morrisons Proceedings against the Defendants are withdrawn.
2. There shall be no order as to costs.

The Hon Mrs Justice Bacon
Chair of the Competition Appeal Tribunal

Made: 17 January 2023
Drawn: 18 January 2023