



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

Case Nos: 1517/11/7/22 (UM)  
1266/7/7/16

BETWEEN:

**UMBRELLA INTERCHANGE FEE CLAIMANTS**

- v -

**UMBRELLA INTERCHANGE FEE DEFENDANTS**

(the “Merchant Interchange Fee Umbrella Proceedings”)

AND BETWEEN:

**WALTER HUGH MERRICKS CBE**

Class Representative

- v -

- (1) MASTERCARD INCORPORATED**
- (2) MASTERCARD INTERNATIONAL INCORPORATED**
- (3) MASTERCARD EUROPE S.P.R.L.**

Defendants

(the “Merricks Proceedings”)

(together, the “Proceedings”)

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**ORDER**

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**UPON** the Tribunal’s Order made on 23 December 2022 giving directions regarding the future conduct of the Proceedings (the “Future Conduct Order”)

**AND UPON** the Tribunal’s Judgment (Amendment No. 2) issued on 12 January 2023 in the Merricks Proceedings ([2023] CAT 5)

**IT IS ORDERED THAT:**

1. Paragraph 1 of the Future Conduct Order is varied such that the Volvo Limitation Hearing shall include determination of the implications of the Volvo Judgment on limitation in the Merricks Proceedings.
2. There shall be liberty to apply.

**Sir Marcus Smith**

President of the Competition Appeal Tribunal

Made: 8 February 2023

Drawn: 9 February 2023