



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

Case No: 1266/7/7/16

BETWEEN:

**WALTER HUGH MERRICKS CBE**

Class Representative

- v -

**(1) MASTERCARD INCORPORATED**

**(2) MASTERCARD INTERNATIONAL INCORPORATED**

**(3) MASTERCARD EUROPE SA (formerly Mastercard Europe S.P.R.L)**

Defendants

---

**CONSENT ORDER**

---

**UPON** the Order made by the Tribunal on 18 January 2023 (the “**January Order**”)

**AND UPON** the Order made by the Tribunal on 3 May 2023 (the “**May Order**”)

**AND UPON** the parties having agreed in correspondence to an extension to the deadline at paragraphs 2(c), 2(d) and 2(e) of the January Order and paragraph 1 of the May Order

**IT IS ORDERED BY CONSENT THAT:**

1. Paragraph 2(c) of the January Order shall be varied such that the parties are to file and exchange primary expert reports by 17 May 2023.

2. Paragraph 1 of the May Order shall be varied so that the Class Representative is to serve supplementary information making any adjustments to the quantum of the amounts claimed in view of the size of the class (including in view of: the exclusion of claims of persons who fall within the class definition but died before 6 September 2016; the exclusion of claims of persons who were domiciled in the UK on the domicile date and opt out of the proceedings; and the inclusion of claims of persons who were domiciled outside the UK on the domicile date and who opt in), by 17 May 2023.
3. Paragraph 2(d) of the January Order shall be varied such that the parties will file and exchange expert reports in reply by 8 June 2023.
4. Paragraph 2(e) of the January Order shall be varied such that the parties will file an agree / disagree statement of the experts by 14 June 2023.
5. Costs in the case.

**The Honourable Mr Justice Roth**  
Chair of the Competition Appeal Tribunal

Made: 11 May 2023  
Drawn: 11 May 2023