



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

Case No: 1403/7/7/21

BETWEEN:

**DR RACHAEL KENT**

Class Representative

- v -

**(1) APPLE INC.**  
**(2) APPLE DISTRIBUTION INTERNATIONAL LTD**

Defendants

(together “**Apple**”)

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**DISCLOSURE ORDER**

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**UPON** the Order of the Chair made following the case management conference in the Proceedings on 20 and 21 March 2023 (the “**Disclosure Order**”)

**AND UPON** the Order of the Chair made on 12 May 2023 which varied the Disclosure Order (“**Variation Order**”)

**AND UPON** reading a letter from the solicitors for the Class Representative dated 7 June 2023 requesting, on behalf of the parties, a further variation to the Disclosure Order

**AND HAVING REGARD TO** the Tribunal’s powers under the Competition Appeal Tribunal Rules 2015

**IT IS ORDERED BY CONSENT THAT:**

1. Paragraph 2 of the Variation Order is superseded by paragraph 2 of this Order.
2. Paragraph 4 of the Disclosure Order is amended to read as follows:

“In the event that agreement cannot be reached by 30 June 2023, the Class Representative and the Defendants shall meet on a without prejudice basis, by their respective legal advisers, together with their expert advisers (if so advised), by 30 June 2023, to seek to agree:

4.1. The search strings referred to in paragraph 3 above; and,

4.2. Further directions in respect of the requests for categories of data referred to at paragraph 2.2 above.

4.3. In the event that agreement cannot be reached within 14 calendar days of that meeting, the parties are to submit any points in dispute to the Tribunal for determination. The search strings that are either agreed or determined pursuant to this paragraph are referred to as the “Search Strings”.”

3. There be liberty to apply.

**Ben Tidswell**

Chair of the Competition Appeal Tribunal

Made: 8 June 2023

Drawn: 8 June 2023