



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1513/5/7/22 (T)

BETWEEN:

BSCL REALISATIONS LIMITED (IN ADMINISTRATION) AND OTHERS

Claimants

- v -

(1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE SA

Mastercard Defendants

and

(1) VISA EUROPE SERVICES LLC
(2) VISA EUROPE LIMITED
(3) VISA UK LIMITED

Visa Defendants

ORDER

UPON the Order of the Tribunal dated 19 June 2023 (the "Order") extending the deadlines for the filing and service of: (i) any application by the Visa Defendants or the Mastercard Defendants pursuant to CPR 17.2(2); (ii) the Visa Defendants' and the Mastercard Defendants' respective defences; and (iii) the Claimants' Reply, by reference to the date of hand down of the Tribunal's judgment following the hearing on 24 to 26 April 2023 to determine the implications of the judgment of the CJEU in Case C-267/20, *Volvo AB and DAF Trucks NV v RM* on limitation in the Merchant Interchange Fee Umbrella Proceedings (the "Volvo Limitation Hearing")

AND UPON the handing down of the Tribunal's judgment in the Volvo Limitation Hearing on 26 July 2023

AND UPON reading the letter from Linklaters to the Tribunal dated 10 August 2023, regarding the parties' joint application to vary paragraph 1 of the Order

IT IS ORDERED BY CONSENT THAT:

1. Paragraph 1 of the Order shall be varied so that it reads:

"Within 28 days after the later of: (i) the deadline for applications for permission to appeal against the judgment of the Tribunal following the Volvo Limitation Hearing; (ii) determination by the Tribunal of any application for permission to appeal filed by the parties; or (iii) the final determination of the issues considered at the Volvo Limitation Hearing (including, for the avoidance of doubt, the determination of any appeals against the judgment of the Tribunal following the Volvo Limitation Hearing) (the "Final Volvo Determination"), the Claimants are to: (a) serve draft amended Particulars of Claim on the Defendants; or (b) confirm that no such amendments are required."

2. Costs in the case.

Sir Marcus Smith

President of the Competition Appeal Tribunal

Made: 22 August 2023

Drawn: 22 August 2023