



IN THE COMPETITION APPEAL TRIBUNAL

Case No. 1590/4/12/23

BETWEEN:

MICROSOFT CORPORATION

Applicant

– and –

COMPETITION AND MARKETS AUTHORITY

Respondent

– and –

ACTIVISION BLIZZARD, Inc.

Intervener

ORDER

UPON the joint application by the Respondent (“**the CMA**”) and by the Applicant (“**Microsoft**”) – and with the support of the Intervener to adjourn the hearing of Microsoft’s application under section 120 of the Enterprise Act 2002 for the review of a decision of the CMA dated 26 April 2023 (the “**Joint Adjournment Application**”),

AND UPON reading the written submissions of the Parties dated 14 July 2023,

AND UPON reading the second witness statement of Jessica Radke dated 14 July 2023,

AND UPON hearing leading counsel for Microsoft and Activision Blizzard, Inc. (“**Activision**”) and counsel for the CMA at a case management conference held on 17 July 2023,

AND UPON reading the second witness statement of Chris Prevett on behalf of the CMA and the first witness statement of Linda Norman on behalf of Microsoft dated 20 July 2023,

AND UPON the Tribunal’s Order dated 21 July 2023 granting the Joint Adjournment Application,

AND UPON the Parties having agreed to the terms of this order,

IT IS ORDERED THAT:

Substantive Hearing of the Application

1. These proceedings shall be stayed for a period of two months, until 11 September 2023.
2. The substantive hearing of the application shall be re-listed for a hearing with a time estimate of five days commencing on 23 October 2023.

Skeleton Arguments and Bundles

3. The Applicant and Intervener shall file and serve their skeleton arguments for the substantive hearing of the application by 4pm on 9 October 2023.
4. The Respondent shall file and serve its skeleton argument for the substantive hearing of the application by 4pm on 16 October 2023.
5. The parties shall file five hard copies and an electronic version of an agreed bundle (and an authorities bundle) for use at the substantive hearing by midday on 18 October 2023.

Other Matters

6. Costs reserved.
7. Liberty to apply.

The Honourable Mr Marcus Smith
President of the Competition Appeal Tribunal

Made: 9 August 2023
Drawn: 9 August 2023