



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1601/7/7/23

BETWEEN:

DR SEAN ENNIS

Proposed Class Representative

- v -

(1) APPLE INC.

(2) APPLE DISTRIBUTION INTERNATIONAL LTD

(3) APPLE CANADA INC.

(4) APPLE PTY LIMITED

(5) APPLE SERVICES LATAM LLC

(6) ITUNES KK

(7) APPLE (UK) LIMITED

(8) APPLE EUROPE LIMITED

Proposed Defendants

CONSENT ORDER

UPON the Proposed Class Representative’s pending application to serve the First to Sixth Proposed Defendants (the “**Non-UK Apple Entities**”) out of the jurisdiction (the “**Service Out Application**”)

AND UPON the Seventh and Eighth Proposed Defendants’ (the “**UK Apple Entities**”) acknowledgement of service dated 18 August 2023 (the “**Acknowledgment of Service**”)

AND UPON the UK Apple Entities having indicated an intention to contest jurisdiction in the Acknowledgment of Service

AND UPON the deadline for the UK Apple Entities to file an application to contest jurisdiction being 1 September 2023 (the “**Jurisdiction Challenge Deadline**”)

AND UPON the Proposed Class Representative and the UK Apple Entities having agreed that the Jurisdiction Challenge Deadline should be extended in accordance with the terms of this order below

AND UPON the UK Apple Entities having explicitly stated that they have not waived their rights to object to the Tribunal’s exercise of its jurisdiction to hear the Proposed Class Representative’s claim against them in these proceedings

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

BY CONSENT IT IS ORDERED THAT:

1. The Jurisdiction Challenge Deadline is extended until either:
 - (a) the deadline for any of the Non-UK Apple Entities to apply to contest jurisdiction; or
 - (b) 14 days from the date that the UK Apple Entities are notified by the Proposed Class Representative of the Tribunal’s final decision to reject the Service Out Application in relation to all Non-UK Apple Entities.
2. Costs in the case.
3. There be liberty to apply.

Andrew Lenon KC
Chair of the Competition Appeal Tribunal

Made: 22 August 2023
Drawn: 23 August 2023