



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1452/5/7/22 (T)

BETWEEN:

HEDERSON & JONES LIMITED

Claimants

- v -

VISA EUROPE LIMITED AND OTHERS

Defendants

ORDER

UPON the Order of the High Court dated 7 April 2022, as amended, transferring these proceedings to the Competition Appeal Tribunal

AND UPON the Umbrella Proceedings Order of the President dated 4 July 2022 designating these proceedings as Host Cases in Case No 1517/11/7/22 (UM) (the “**Merchant Interchange Fee Umbrella Proceedings**”)

AND UPON FBE Realisations 2021 Limited (in administration) having served the Amended Claim Form in the proceedings on the Defendants on 1 November 2022, with a deemed date of service of 3 November 2022, whereupon the proceedings were immediately stayed pursuant to paragraph 2 of the Order of the Tribunal of 26 October 2022 (the “**Stay**”)

AND UPON the FBE Realisations 2021 Limited (in administration) having assigned to the Claimant absolutely by way of legal assignment, inter alia, all claims it had against the Defendants including the claims in the proceedings (the “**Assignment**”)

AND UPON the Claimant confirming that it will not argue that it is not liable for any order for costs that might be made in the proceedings relating to costs incurred prior to the date of the Assignment on the basis that it was not a party to the proceedings during that period

AND UPON the Stay being lifted and the Claimant being substituted in place of FBE Realisations 2021 Limited (in administration) (the “**Substitution**”) pursuant to the Order of the Tribunal of 14 August 2023

AND UPON the Claimant amending the Amended Claim Form in the proceedings to reflect the Substitution and filing the Re-Amended Claim Form on 18 August 2023

AND UPON the Claimant filing and serving its Particulars of Claim on 3 November 2023

AND UPON the Order of the Tribunal dated 13 January 2023 (as amended by Orders of the Tribunal dated 10 May 2023 and 20 October 2023) giving directions regarding the future conduct of the Merchant Interchange Fee Umbrella Proceedings (the “**Future Conduct Order**”)

AND UPON READING the letter of Linklaters LLP dated 28 November 2023

AND UPON the parties having agreed to the terms of this order

BY CONSENT IT IS ORDERED THAT:

1. Paragraph 15 of the Future Conduct Order (as amended) shall apply to the proceedings.
2. The deadline for the Defendants to file and serve their defence in the proceedings will be determined in accordance with Paragraph 15 of the Future Conduct Order (as amended).
3. There be liberty to apply.
4. Costs in the claim.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 30 November 2022
Drawn: 30 November 2022