



IN THE COMPETITION APPEAL TRIBUNAL

Case Nos: 1517/11/7/22 (UM)
1266/7/7/16

BETWEEN:

UMBRELLA INTERCHANGE FEE CLAIMANTS

- v -

UMBRELLA INTERCHANGE FEE DEFENDANTS

(the “Merchant Interchange Fee Umbrella Proceedings”)

AND BETWEEN:

WALTER HUGH MERRICKS CBE

Class Representative

- v -

- (1) MASTERCARD INCORPORATED**
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE S.P.R.L.

Mastercard Defendants

(the “Merricks Collective Proceedings”)

ORDER

UPON the Tribunal handing down its Ruling (Evidence on Pass-on) [2023] CAT 60 on 5 October 2023

AND UPON the Order of the Tribunal made and drawn on 5 December 2023 in the Merchant Interchange Fee Umbrella Proceedings and the Merricks Collective Proceedings (the “**Evidential Pass-On Order**”)

AND UPON the Order of the Tribunal made and drawn on 8 December 2023 in the Merchant Interchange Fee Umbrella Proceedings and the Merricks Collective Proceedings

AND UPON the Class Representative, Mastercard, Visa, Primark and Ocado and having agreed to further vary the terms of the Evidential Pass-On Order

IT IS ORDERED THAT:

1. Paragraph 11 of the Evidential Pass-On Order be amended to read as follows:

“By **3 January 2024**, the Parties shall submit the Draft Questionnaire (showing the Parties’ alternative proposals if necessary) to the Tribunal for approval.”
2. Costs in the Merchant Interchange Fee Proceedings and the Merricks Collective Proceedings.
3. Liberty to apply.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 22 December 2023
Drawn: 22 December 2023