



Case No: 1528/5/7/22 (T)

**IN THE COMPETITION APPEAL TRIBUNAL**

BETWEEN:

**VOLKSWAGEN AG & OTHERS**

Claimants

- v -

- (1) MOL (EUROPE AFRICA) LTD
- (7) “K”-LINE HOLDING (EUROPE) LTD
- (8) “K”-LINE (EUROPE) LTD
- (9) KAWASAKI KISEN KAISHA, LTD

Defendants / Rule 39 Claimants

(10) MITSUI O.S.K. LINES, LIMITED

Defendant

- and -

**NIPPON YUSEN KABUSHIKI KAISHA**

Rule 39 Defendant

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**ORDER**

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**UPON** the Claimants commencing proceedings in the Commercial Court against MOL (Europe Africa) Ltd by way of claim form dated 27 November 2020 (as subsequently amended) filed under Claim No. CL-2020-000780 (the “First Claim”)

**AND UPON** the Claimants commencing proceedings in the Commercial Court against Mitsui O.S.K. Lines, Ltd by way of claim form dated 18 August 2022 filed under Claim No. CL-2022-000452 (the “Second Claim”)

**AND UPON** paragraph 1 of the Order of Mr Justice Calver made by consent on 20 June 2022 transferring part of the First Claim to the Tribunal (the “Transferred First Claim”)

**AND UPON** paragraph 1 of the Order of Mr Justice Picken made by consent on 23 November 2022 transferring part of the Second Claim to the Tribunal (the “Transferred Second Claim”)

**AND UPON** the Transferred First Claim and the Transferred Second Claim having been consolidated pursuant to paragraph 1 of the Tribunal’s Order made by consent on 11 January 2023 as Case No. 1528/5/7/22 (T) *Volkswagen AG and Others v MOL (Europe Africa) Ltd and Others* (the “Consolidated Claim”)

**AND UPON** the Claimants’ wishing to withdraw their claims against MOL (Europe Africa) Ltd and Mitsui O.S.K. Lines, Ltd, with the consent of MOL (Europe Africa) Ltd and Mitsui O.S.K. Lines, Ltd, in the Consolidated Claim, pursuant to Rule 44(1)(a) of the Competition Appeal Tribunal Rules 2015

**AND UPON** reading a draft of this order endorsed by the respective solicitors for the Claimants and MOL (Europe Africa) Ltd and Mitsui O.S.K. Lines, Ltd

**IT IS ORDERED BY CONSENT THAT:**

1. The entirety of the Claimants’ claims in the Consolidated Claim against MOL (Europe Africa) Ltd and Mitsui O.S.K. Lines, Ltd be withdrawn.
2. There shall be no order as to costs.

**The Hon Mrs Justice Cockerill DBE**  
Chair of the Competition Appeal Tribunal

Made: 15 December 2023  
Drawn: 15 December 2023