



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1296/5/7/18

BETWEEN:

- (1) ARLA FOODS AMBA
- (2) ARLA FOODS LIMITED
- (3) ARLA FOODS UK SERVICES LIMITED
- (4) MD FOODS AMBA
- (5) ARLA FOODS DISTRIBUTION A/S
- (6) ARLA, EKONOMISK FÖRENING
- (7) ARLA FOODS AB
- (8) MUH ARLA EG
- (9) ARLA FOODS LOGISTICS GMBH

Claimants

- and -

- (1) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES N.V.)
- (2) CNH INDUSTRIAL N.V.

Defendants/Rule 39 Claimants

- (1) TRATON SE
- (2) MAN TRUCK & BUS AG
- (3) MAN TRUCK & BUS DEUTSCHLAND GMBH
- (4) AKTIEBOLAG VOLVO (PUBL)
- (5) VOLVO LASTVAGNAR AKTIEBOLAG
- (6) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH
- (7) RENAULT TRUCKS SAS
- (8) PACCAR INC
- (9) DAF TRUCKS DEUTSCHLAND GMBH
- (10) DAF TRUCKS NV
- (11) DAIMLER AG
- (12) SCANIA AKTIEBOLAG (PUBL)
- (13) SCANIA CV AKTIEBOLAG (PUBL)
- (14) SCANIA DEUTSCHLAND GMBH

Rule 39 Defendants

ORDER

UPON the Claimants' request for certain "off-the-shelf" data, documents and information

AND UPON the Claimants and the Eleventh Rule 39 Defendant ("**Daimler**") having agreed to the terms of this Order

AND UPON the confidentiality ring order of the President made on 9 September 2020 in these proceedings (the "**Confidentiality Ring Order**")

BY CONSENT IT IS ORDERED THAT:

1. By 4.00pm on the date falling seven business days after the date of this Order, Daimler shall provide to the Claimants equivalent disclosure to that which was provided in Case 1291/5/7/18 (T) *Ryder Limited and Another v MAN SE and Others* or Case 1295/5/7/18 (T) *Dawsongroup plc and Others v DAF Trucks NV and Others* ("**Trial 2**") for the purposes of determining the Stage A issues in Trial 2, save for any communications disclosure or other disclosure that was specific to the claimants in Trial 2 (the "**OTS Disclosure**").
2. By 4.00pm on the date falling seven business days after the date of this Order, Daimler shall provide to the Claimants any guidance notes and disclosure statements that accompanied the OTS Disclosure in Trial 2 (the "**Guidance Notes**").
3. By 4.00pm on the date falling seven business days after the date of this order, and after having used reasonable endeavours to locate any further relevant and material clarifications that accompanied the OTS Disclosure in Trial 2 (the "**Clarifications**"), Daimler shall provide the Clarifications to the Claimants.
4. The OTS Disclosure, Guidance Notes and Clarifications shall be designated as Inner Confidentiality Ring Information pursuant to the Confidentiality Ring Order.

Sir Marcus Smith

President of the Competition Appeal Tribunal

Made: 2 January 2024

Drawn: 2 January 2024