



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1296/5/7/18

BETWEEN:

(1) – (9) ARLA FOODS AMBA AND OTHERS

Claimants

- and -

**(1) – (2) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES N.V.)
AND ANOTHER**

Defendants/Rule 39 Claimants

(1) – (14) TRATON SE AND OTHERS

Rule 39 Defendants

ORDER

UPON the agreement set out in the letter from Travers Smith LLP to the claimants in the Second Wave Trucks Proceedings, dated 7 December 2023, regarding the disclosure of documents within the Commission’s administrative file;

AND UPON the following definitions applying for the purpose of this Order and the accompanying Annex:

- “**DAF Addressee Defendants**” means PACCAR Inc., DAF Trucks N.V. and DAF Trucks Deutschland GmbH;
- “**VT/RT Addressee Defendants**” means AB Volvo (publ), Volvo Lastvagnar AB, Renault Trucks SAS and Volvo Group Trucks Central Europe GmbH.

BY CONSENT IT IS ORDERED THAT:

1. Within one working day of this order being made, the DAF Addressee Defendants shall provide to the Claimants the following disclosure, to the extent that such disclosure has not already been provided:
 - (a) the version of the decision of the European Commission dated 19 July 2016 in *Case AT.39824 – Trucks* disclosed pursuant to paragraph 11 of the Order of Mrs Justice Rose dated 18 December 2017 in *Royal Mail Group Limited v DAF Trucks Limited & Others* (Claim No. HC-2016-003422; CAT Case No 1284/5/7/18 (T)) by the defendants in that claim;
 - (b) the versions of the documents on the European Commission’s administrative file relating to its investigation in *Case AT.39824 – Trucks* which were disclosed by the defendants in Case 1295/5/7/18 (T) *Dawsongroup plc and Others v DAF Trucks N.V. and Others*;
 - (c) the version of the index to the European Commission’s administrative file relating to its investigation in *Case AT.39824 – Trucks*, pursuant to paragraph 12 of the Order of Mr Justice Roth dated 19 December 2018 in *Case 1291/5/7/18 (T) Ryder Limited & another v MAN SE* and others by the DAF Addressee Defendants; and
 - (d) the parent data of the documents on the European Commission’s administrative file relating to its investigation in *Case AT.39824 – Trucks* which were disclosed in Case 1295/5/7/18 (T) *Dawsongroup plc and Others v DAF Trucks N.V. and Others*.
2. Within one working day of this order being made, the VT/RT Addressee Defendants shall provide to the Claimants the following disclosure, to the extent that such disclosure has not already been provided: the relevant documents which are part of the European Commission’s administrative file relating to its investigation in *Case AT.39824 – Trucks* which were previously withheld from disclosure and were disclosed in pursuant to paragraph 1 of the Reasoned Order of Mr Andrew Lenon KC dated 11 November 2022 in Case 1295/5/7/18 (T) *Dawsongroup plc and Others v DAF Trucks N.V. and Others*.
3. Liberty to apply.
4. Costs in the case.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 2 January 2024
Drawn: 2 January 2024