



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

**Case No: 1378/5/7/20**

**BETWEEN:**

**(1) EPIC GAMES, INC.**

**(2) EPIC GAMES ENTERTAINMENT INTERNATIONAL GMBH**

Claimants

**and**

**(1) ALPHABET INC.**

**(2) GOOGLE LLC**

**(3) GOOGLE IRELAND LIMITED**

**(4) GOOGLE COMMERCE LTD**

**(5) GOOGLE PAYMENT LIMITED**

Defendants

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**ORDER**

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**UPON** the Tribunal's order made on 6 December 2021 (the “**First Directions Order**”)

**AND UPON** the Tribunal’s order made on 25 May 2022 (the “**Second Directions Order**”)

**AND UPON** the Tribunal’s order made on 16 December 2022 amending the First Directions Order and the Second Directions Order

**AND UPON** the Tribunal’s order made on 6 February 2023 amending the First Directions Order and the Second Directions Order

**AND UPON** the Tribunal’s order made on 2 March 2023 amending the First Directions Order

**AND UPON** the Tribunal’s order made on 18 April 2023 amending the First Directions Order and the Second Directions Order

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

**IT IS ORDERED THAT:**

1. Paragraph 10 of the First Directions Order is amended to read: *“The parties shall file and exchange signed statements of witness of fact by 4pm on 3 March 2023, such witness statements to stand as evidence-in-chief at trial, and the parties shall file and exchange hearsay notices where required by CPR 33.2 by 4pm on 22 March 2024”*.
2. Paragraph 11 of the First Directions Order is amended to read: *“The parties shall have permission to file and exchange any reply statements of witness of fact by 4pm on 9 February 2024, such witness statements to stand as evidence-in-chief at trial”*.
3. Paragraph 13 of the First Directions Order is amended to read: *“The parties shall file and exchange expert reports by 4pm on 28 June 2024”*.
4. Paragraph 14 of the First Directions Order is amended to read: *“Any expert reports in reply shall be filed and served by 4pm on 11 October 2024”*.
5. Paragraph 15 of the First Directions Order is amended to read: *“The experts shall meet to discuss the expert reports by 8 November 2024 and shall file and serve a joint expert report by no later than 4pm on 13 December 2024”*.
6. Paragraph 17 of the First Directions Order is amended to read: *“By no later than 14 days after the outcome of the US Proceedings, the parties are to attend on the CAT Registry to fix a Pre-Trial Review”*.
7. Paragraph 18 of the First Directions Order is amended to read: *“The Claimants shall file and serve their written openings by 4pm on 24 March 2025. The Defendants shall file and serve their written openings by 4pm on 14 April 2025”*.
8. Paragraph 8 of the Second Directions Order is amended to read: *“The CMA shall file and serve its written observations pursuant to Rule 50(2) of the Tribunal Rules by 5pm on 31 January 2025”*.
9. Paragraph 9 of the Second Directions Order is amended to read: *“If so advised, parties file and serve written observations on the CMA’s written observations by 5pm on 28 February 2025”*.
10. Costs in the case.

11. There shall be liberty to apply.

**Sir Marcus Smith**  
President

Made: 21 September 2023

Drawn: 21 September 2023