



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

Case No: 1415/5/7/21 (T)

BETWEEN:

- (1) THE SECRETARY OF STATE FOR HEALTH AND SOCIAL CARE**
- (2) THE NATIONAL HEALTH SERVICE BUSINESS SERVICES AUTHORITY**
- (3) THE WELSH MINISTERS**
- (4) SWANSEA BAY UNIVERSITY HEALTH BOARD**
- (5) CWM TAF MORGANNWG UNIVERSITY HEALTH BOARD**
- (6) ANEURIN BEVAN UNIVERSITY HEALTH BOARD**
- (7) HYWEL DDA UNIVERSITY HEALTH BOARD**
- (8) BETSI CADWALADR UNIVERSITY HEALTH BOARD**
- (9) POWYS TEACHING HEALTH BOARD**
- (10) CARDIFF & VALE UNIVERSITY HEALTH BOARD**

Claimants

- v -

- (1) LUNDBECK LIMITED**
- (2) H. LUNDBECK A/S**
- (3) GENERICS (U.K.) LIMITED**
- (4) MERCK KGAA**
- (5) ARROW GENERICS LIMITED**
- (6) ARROW GROUP APS**
- (7) RESOLUTION CHEMICALS LIMITED**
- (8) XELLIA PHARMACEUTICALS APS**
- (9) ALPHARMA LLC**
- ~~(10) A.L. INDUSTRIER AS~~**
- (11) SUN PHARMACEUTICAL INDUSTRIES LIMITED**
- (12) SUN PHARMA UK LIMITED**

Defendants

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## ORDER

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**UPON** the Order of the Tribunal made on 29 September 2023 at the first case management conference and drawn on 6 October 2023 directing that by no later than 4 pm on 19 January 2024:

- (a) the parties shall provide disclosure by list and inspection of all contemporaneous documents, including press reports and other publicly available material, on which they intend to rely for the purpose of the Preliminary Issue;
- (b) the Claimants shall provide disclosure by list and inspection of all known adverse documents within the meaning of paragraph 2.8 of Practice Direction 57AD of the Civil Procedure Rules; and
- (c) the Claimants shall provide disclosure by list and inspection of documents falling within the disclosure requests agreed by the parties or ordered by the Tribunal.

**AND UPON** the Order of the Tribunal made on 29 December 2023 that the Claimants shall provide disclosure by list and inspection of documents falling within the disclosure requests agreed by the parties or ordered by the Tribunal by 4 pm on 26 January 2024

**AND UPON** the parties having agreed that the 19 January 2024 deadlines for disclosure of (a) contemporaneous documents on which the parties intend to rely for the purpose of the Preliminary Issue; and (b) the Claimants' known adverse documents, should be extended to 26 January 2024

**BY CONSENT IT IS ORDERED THAT:**

1. The deadlines for the filing of (a) contemporaneous documents on which the parties intend to rely for the purpose of the Preliminary Issue; and (b) the Claimants' known adverse documents, be extended to 4 pm on 26 January 2024.

**Andrew Lenon KC**

Chair of the Competition Appeal Tribunal

Made: 19 January 2024

Drawn: 19 January 2024