



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1578/5/7/23 (T)

BETWEEN:

(1) ASDA STORES LIMITED

(“Asda”)

(2) CURRYS PLC

(3) CURRYS RETAIL GROUP LIMITED

(4) CURRYS GROUP LIMITED

(5) MASTERCARE SERVICE AND DISTRIBUTION LIMITED

(C2-C5 are referred to as the “Currys Claimant Group”)

(6) ICELAND FOODS LIMITED

(“Iceland”)

(7) JOHN LEWIS PARTNERSHIP PLC

(8) JOHN LEWIS PLC

(9) WAITROSE LIMITED

(C7-C9 are referred to as the “John Lewis Claimant Group”)

(10) J SAINSBURY PLC

(11) SAINSBURY’S SUPERMARKETS LTD

(12) J SAINSBURY DISTRIBUTION LTD

(13) HOME RETAIL GROUP LIMITED

(14) ARGOS LIMITED

(C10-C14 are referred to as the “Sainsbury’s Claimant Group”)

(15) WILKO LIMITED

(“Wilko”)

Claimants

- (1) AB VOLVO (PUBL)
- (2) VOLVO LASTVAGNAR AB
- (3) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH
- (4) RENAULT TRUCKS SAS
- (5) VFS FINANCIAL SERVICES LTD
- (6) VOLVO GROUP UK LTD
- (7) RENAULT TRUCK COMMERCIALS LIMITED
(D1-D7 are referred to as the “Volvo/Renault Defendants”)
- (8) MERCEDES-BENZ GROUP AG
- (9) MERCEDES-BENZ CARS UK LIMITED
- (10) MERCEDES-BENZ FINANCIAL SERVICES UK LIMITED
(D8-D10 are referred to as the “Mercedes-Benz Defendants”)
- (11) IVECO S.P.A.
- (12) IVECO MAGIRUS AG
- (13) CNH INDUSTRIAL N.V.
- (14) STELLANTIS N.V.
- (15) IVECO LIMITED
(D11-D15 are referred to as the “Iveco Defendants”)
- (16) PACCAR INC.
- (17) PACCAR FINANCIAL PLC
- (18) DAF TRUCKS N.V.
- (19) DAF TRUCKS DEUTSCHLAND GMBH
- (20) DAF TRUCKS LIMITED
(D16-D20 are referred to as the “DAF Defendants”)
- (21) MAN TRUCK & BUS SE
- (22) MAN TRUCK & BUS DEUTSCHLAND GMBH
- (23) TRATON SE
- (24) MAN TRUCK AND BUS UK LIMITED
(D21-D24 are referred to as the “MAN Defendants”)
- (25) SCANIA AB (PUBL)
- (26) (SCANIA CV AB (PUBL)
- (27) SCANIA DEUTSCHLAND GMBH
- (28) SCANIA FINANCE GREAT BRITAIN LIMITED
- (29) SCANIA (GREAT BRITAIN) LIMITED
(D25-D29 are referred to as the “Scania Defendants”)

CONSENT ORDER

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

AND UPON the Claimants and the Eighth to Tenth Defendants ("**Daimler**") having agreed to the terms of this Order

AND UPON the confidentiality ring order of the President made on 7 December 2023 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: 15 January 2024

Drawn: 15 January 2024