



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

Case No: 1289/7/7/18

BETWEEN:

**ROAD HAULAGE ASSOCIATION LIMITED**

Appellant/Applicant/Proposed Class Representative

- v -

**MAN SE AND OTHERS**

Respondents/Proposed Defendants

- and -

**DAIMLER AG**

Objector

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**ORDER (VARYING DIRECTIONS)**

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**UPON** the applications for a Collective Proceedings Order (“**CPO**”) brought by UK Trucks Claim Limited (“**UKTC**”) on 18 May 2018 (Case No. 1282/7/7/18) and the Road Haulage Association Limited (“**RHA**”) on 17 July 2018

**AND UPON** the judgment of the Tribunal of 8 June 2022 determining that the UKTC application should be dismissed, and the RHA application should be granted subject to amendment

**AND UPON** the Court of Appeal having handed down its judgment on 25 July 2023 ([2023] EWCA Civ 875) (the “**CoA Judgment**”)

**AND UPON** the Court of Appeal Order dated 28 September 2023 *inter alia*: (i) remitting to the Tribunal for it to give directions in relation to the separate representation and separate teams

within the RHA and separate funding for the two sub- classes in relation to the issue of resale pass-on; (ii) for it to approve the form of CPO Notice under Rule 81 of the Competition Appeal Tribunal Rules 2015, all in accordance with the guidance in the CoA Judgment (the “**Remitted Matters**”)

**AND UPON** the Tribunal listing the hearing of the Remitted Matters on 4 and 5 June 2024

**AND UPON** the Order of the Tribunal made on 27 February 2024, giving directions in advance of the hearing of the Remitted Matters (the “**Directions Order**”)

**AND UPON** reading the application by the RHA to vary the Directions Order, as set out in the and the letter from Backhouse Jones dated 1 March 2024

**AND UPON** reading the correspondence from the parties’ solicitors dated 4 and 7 March 2024

**IT IS ORDERED THAT:**

1. The Directions Order is varied and restated as follows:
  - (a) The RHA to file its application in respect of the Remitted Matters by 4 pm on 28 March 2024.
  - (b) The Proposed Defendants and Objectors (the “**OEMs**”) to file non-duplicative responses by 4 pm on 2 May 2024.
  - (c) The RHA to file any Reply to the OEMs’ Responses by 4 pm on 13 May 2024.
  - (d) The RHA to file an electronic copy of agreed hearing bundles and five hard copies of an agreed core bundle by 4 pm on 17 May 2024.
  - (e) The parties to file and exchange skeleton arguments by 4 pm on 24 May 2024.
  - (f) The skeleton argument of the RHA be limited to 30 pages and skeleton arguments from the OEMs to be limited to 30 pages in aggregate, whether as a joint skeleton or several separate skeletons, in each case skeletons to be 1.5 line spacing and 12-point font.

- (g) There be liberty to apply by 17 May 2024 for permission to increase the page limit on skeleton arguments.

**The Honourable Mr Justice Roth**  
Chair of the Competition Appeal Tribunal

Made: 8 March 2024  
Drawn: 8 March 2024