



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: 1407/1/12/21
1411/1/12/21
1412/1/12/21
1413/1/12/21
1414/1/12/21

BETWEEN:

- (1) ALLERGAN PLC
(2) ADVANZ PHARMA CORP. LIMITED & OTHERS
(3) CINVEN CAPITAL MANAGEMENT (V) GENERAL PARTNER LIMITED &
OTHERS
(4) AUDEN MCKENZIE (PHARMA DIVISION) LIMITED & ANOTHER
(5) INTAS PHARMACEUTICALS LIMITED & OTHERS

Appellants

- v -

COMPETITION AND MARKETS AUTHORITY

Respondent

ORDER

UPON the Tribunal having handed down its judgment [2023] CAT 56 on 18 September 2023 (“**Hydrocortisone 1**”)

AND UPON the Tribunal having made an Order dated 29 September 2023 (the “**Hydrocortisone 2 Order**”), ordering that the Tribunal’s judgment [2023] CAT 57 (“**Hydrocortisone 2**”) be handed down as a closed judgment, with access to that judgment limited to the persons listed in Annex 1 of that Order, until further order of the Tribunal, and ordering that a closed hearing be held to deal with certain consequential matters relating to Hydrocortisone 2 (the “**Consequential Hearing**”)

AND UPON the Hydrocortisone 2 Order setting out that permission to appeal the findings in Hydrocortisone 1 in relation to penalties is stayed until such time as penalties in relation to Hydrocortisone 2 can be appealed, and permission to appeal the substantive findings in Hydrocortisone 1 is stayed until judgment from the Consequential Hearing has been handed down

AND UPON the Tribunal having handed down Hydrocortisone 2 on 29 September 2023 as a closed Judgment

AND UPON the Consequential Hearing taking place on 26 and 27 October 2023

AND UPON the Tribunal having circulated a draft embargoed judgment to a restricted number of persons following the Consequential Hearing

AND UPON the Tribunal having handed down its judgment [2024] CAT 17 (“**Hydrocortisone 3**”) on 8 March 2024

IT IS ORDERED THAT:

1. Hydrocortisone 2 be published openly with the rider articulated at [151] of [2024] CAT 17, which is part of that Judgment.
2. A hearing be listed to deal with consequential matters relating to the judgments in these proceedings. That hearing will be listed following the Tribunal handing down judgment relating to the outstanding ground of appeal of the Auden/Actavis Appellants in relation to penalties (“**Hydrocortisone 4**”).
3. Permission to appeal in relation to Hydrocortisone 1, Hydrocortisone 2 and Hydrocortisone 3 be stayed until Hydrocortisone 4 has been handed down.

Sir Marcus Smith
President of the Competition Tribunal

Made: 8 March 2024
Drawn: 8 March 2024