



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1289/7/7/18

BETWEEN:

ROAD HAULAGE ASSOCIATION LIMITED

Applicant/Proposed Class Representative

- v -

MAN SE AND OTHERS

Respondents/Proposed Defendants

- and -

DAIMLER AG

Objector

ORDER

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 (the “**Remitted Matters Hearing**”)

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

AND UPON the Order of the Tribunal made on 8 March 2024, varying the Directions Order

AND UPON reading the application by the RHA to adjourn the Remitted Matters Hearing, as set out in the and the letter from Backhouse Jones dated 27 March 2024 (the “**Adjournment Application**”)

AND UPON considering the urgency of the matter and that the Proposed Defendants and Objectors have not had an opportunity to respond to the Adjournment Application

IT IS ORDERED THAT:

1. The Adjournment Application is refused.
2. Paragraphs 1 (a) and (b) of the Directions Order are varied as follows:
 - (a) The RHA to file its application in respect of the Remitted Matters by 4 pm on 11 April 2024.
 - (b) The Proposed Defendants and Objectors to file non-duplicative responses by 4 pm on 9 May 2024.
3. All parties have liberty to apply by 15 April 2024 to vary the terms of this order or further vary the Directions Order.

The Honourable Mr Justice Roth
Chair of the Competition Appeal Tribunal

Made: 28 March 2024
Drawn: 28 March 2024