



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1602/7/7/23

BETWEEN:

CHRISTINE RIEFA CLASS REPRESENTATIVE LIMITED

Proposed Class Representative

- v -

(1) APPLE INC.

(2) APPLE DISTRIBUTION INTERNATIONAL LIMITED

(3) AMAZON.COM, INC.

(4) AMAZON EUROPE CORE S.À.R.L.

(5) AMAZON SERVICES EUROPE S.À.R.L.

(6) AMAZON EU S.À.R.L.

(7) AMAZON.COM SERVICES LLC

Proposed Defendants

ORDER (DIRECTIONS)

UPON reading the Proposed Class Representative's ("PCR") Collective Proceedings Claim Form dated 25 July 2023 and accompanying documents

AND UPON the application of the PCR dated 12 March 2024

AND UPON the Parties agreeing the terms of a confidentiality ring order (the "**Confidentiality Ring Order**")

AND UPON the Parties having agreed to the terms of this Order

IT IS ORDERED BY CONSENT THAT:

Forum

1. Pursuant to Rules 18, 52 and 74 of the Tribunal Rules, the proceedings shall be treated, for all purposes, as being proceedings in England and Wales.

Publicity

2. The PCR shall publicise, in accordance with paragraphs 4 to 6 of this Order, the right under Rule 76(10)(c) of the Tribunal Rules of persons with an interest to object to the CPO Application or the authorisation of the PCR by **4 April 2024**.
3. The PCR shall publicise, in accordance with paragraphs 4 and 5 of this Order, the right under Rule 79(5) of the Tribunal Rules of members of the proposed class to make an application to the Tribunal for permission to make oral submissions at the hearing of the CPO Application by **4 April 2024**.

Objections to the CPO Application and applications for permission to make observations

4. Any person with an interest (including any member of the proposed class) may object to the CPO Application or the authorisation of the PCR by writing to the Tribunal stating their reasons for objecting by **4pm on 16 May 2024**.
5. Any member of the proposed class may also seek permission to make oral observations at the CPO Application hearing, by making an application for such permission, with reasons, as part of his/her written objections.
6. Any third party with a legitimate interest (who is not a member of the proposed class) who seeks permission to make written and/or oral observations at the CPO Application hearing is to make such application, supported by reasons, to the Tribunal by **4pm on 16 May 2024**.

Confidentiality Ring Order

7. The Confidentiality Ring Order be established by separate order of, and in the form to be approved by, the Tribunal.

Preliminary disclosure

8. The PCR shall disclose confidential copies of its litigation funding agreement dated 22 October 2023 and its ATE insurance policy to the Proposed Defendants within 1 working day of the date of the Confidentiality Ring Order.
9. The Proposed Defendants shall disclose confidential copies of the following documents to the PCR within 5 working days of the date of the Confidentiality Ring Order:
 - (a) The Global Tenets Agreement dated 31 October 2018 and any amendments or variations thereto; and
 - (b) The amendment to the Apple Authorised Reseller Agreement dated 31 October 2018 (also known as the EU Amendment Agreement) and any amendments or variations thereto.

Responses and Replies

10. The Proposed Defendants shall file and serve their Responses to the CPO Application, together with any expert or factual evidence relied on in support, and any application made pursuant to Rule 79(4) of the Tribunal Rules, by **4pm on 12 April 2024**.
11. The PCR shall file and serve any Reply to the Proposed Defendants' Responses, together with any expert or factual evidence relied on in support, and any response to any application made pursuant to Rule 79(4) of the Tribunal Rules, by **4pm on 4 June 2024**.

Skeleton arguments and bundles

12. The parties shall file and serve skeleton arguments by **4pm on 28 June 2024**.
13. The PCR shall file an agreed electronic bundle for the hearing and an agreed electronic authorities bundle by **4pm on 5 July 2024**.

14. Hard copy versions of the electronic bundles, if requested by the Registry, are to be provided to the Tribunal as soon as possible following such request being made.

Hearing of the CPO Application

15. The hearing of the CPO Application shall be listed to be heard on 11 – 12 July 2024 with a time estimate of 2 days.

Costs

16. Costs in the case.
17. Liberty to apply.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 28 March 2024
Drawn: 28 March 2024