



**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

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**ORDER**

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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 (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 Orders of the Tribunal made on 8, 28 March and 12 April 2024, varying the Directions Order

**AND UPON** reading the letter from the solicitors for RHA Used Trucks Limited, the proposed sub-class representative (“**PSCR**”) dated 17 May 2024, requesting that the PSCR be permitted to file a Reply and skeleton argument in advance of the Remitted Matters Hearing

**AND UPON** reading the letter from the solicitors for the Proposed Defendants dated 22 May 2024

**AND UPON** reading the letter from the solicitors for the RHA dated 23 May 2024

**IT IS ORDERED THAT:**

1. The PSCR be permitted to file and serve a Reply and skeleton argument.
2. Paragraphs 1(e) and (f) of the Directions Order are varied such that: (i) the RHA and PSCR shall file and exchange their skeleton arguments (limited to 40 pages in aggregate) by **4pm** on **28 May 2024**; and (ii) the Proposed Defendants and Objectors shall file and exchange their joint skeleton or several separate skeletons by **4pm** on **31 May 2024** (limited to 40 pages in aggregate). The parties’ skeleton arguments shall contain cross-references to the hearing bundles.
3. There be liberty to apply.

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

Made: 23 May 2024  
Drawn: 23 May 2024