



**IN THE COMPETITION APPEAL TRIBUNAL
BETWEEN:**

Case Nos: as set out in Annex 1

**THE CLAIMANTS IN THE
SECOND WAVE TRUCKS PROCEEDINGS**

Claimants

- and -

**THE DEFENDANTS IN THE
SECOND WAVE TRUCKS PROCEEDINGS**

Defendants

ORDER

UPON the Application of the Arla and Boots Claimants dated 24 May 2024 requesting certain “off-the-shelf” data, and other documents and information

AND UPON the Ruling (Future Conduct of the Proceedings) dated 9 January 2024 directing that the issues to be determined at the First Wave 2 Trial include overcharge in all jurisdictions referenced in the pleadings

AND UPON the following definitions applying for the purpose of this Order:

- **“Arla and Boots Claimants”** means the claimants in the Case 1296/5/7/18 Arla Foods AMBA & Others v Stellantis N.V. & Another and Case 1616/5/7/23 (T) Boots & Others v TRATON & Others
- **“IKA Customers”** means International Key Accounts customers of MAN
- **“International Markets”** means Austria; Belgium; Croatia; Czechia; Denmark; Finland; France; Germany; Hungary; the Republic of Ireland; Italy; Latvia; the Netherlands; Norway; Poland; Portugal; Romania; Slovakia; Spain and Sweden.

- “MAN” means the First to Third Rule 39 Defendants in the Arla Proceedings and First to Third Defendants in the Boots Proceedings

AND UPON hearing Counsel for the Arla and Boots Claimants and Counsel for the Defendants at a hearing on 17 June 2024

IT IS ORDERED THAT:

1. Subject to para (2) below, in respect of all International Markets, the overcharge determination in respect of the UK market shall be applied to the International Markets.
2. In respect of MAN, paragraph 1 of this order will not apply and instead expert evidence of overcharge for IKA Customers and Ireland is permitted.

The Honourable Lord Ericht
Chair of the Competition Appeal Tribunal

Made: 5 July 2024
Drawn: 5 July 2024

ANNEX 1: CASES INCLUDED IN THE SECOND WAVE TRUCKS PROCEEDINGS

Case Number	Case Name
Cases in England	
1296/5/7/18	Arla Foods AMBA & Others v Stellantis N.V. & Another
1338/5/7/20 (T)	Adnams PLC & Others v DAF Trucks Limited & Others
1343/5/7/20 (T)	DS Smith Paper Limited & Others v MAN SE & Others
1355/5/7/20 (T)	Hertz Autovermietung GmbH & Others v Stellantis N.V. (formerly Fiat Chrysler Automobiles N.V.) & Others
1356/5/7/20 (T)	Balfour Beatty Group Limited & Others v Stellantis N.V. (formerly Fiat Chrysler Automobiles N.V.) & Others
1358/5/7/20 (T)	Zamenhof Exploitation & Others v Fiat Chrysler Automobiles N.V. & Others
1360/5/7/20 (T)	BFS Group Limited & Another v DAF Trucks Limited & Others
1361/5/7/20 (T)	Enterprise Rent-a-Car UK Limited v DAF Trucks Limited & Others
1362/5/7/20 (T)	ABF Grain Products Limited & Others v DAF Trucks Limited & Others
1368/5/7/20 (T)	LafargeHolcim Limited & Others v Aktiebolaget Volvo (Publ) & Others
1371/5/7/20 (T)	The BOC Group Limited & Others v Stellantis N.V. & Others
1372/5/7/20 (T)	GIST Limited & Others v Stellantis N.V. & Others
1417/5/7/21 (T)	Dan Ryan Truck Rental Limited & Others v DAF Trucks Limited & Others
1420/5/7/21 (T)	A to Z Catering Supplies Limited & Others v DAF Trucks Limited & Others
1431/5/7/22 (T)	Adur District Council & Others v TRATON SE & Others
1521/5/7/22 (T)	Wm Morrison Supermarkets PLC & Others v Volvo Group UK Limited & Others
1578/5/7/23 (T)	Asda & Others v AB Volvo & Others
1616/5/7/23 (T) (formerly CL-2020-763 (High Court))	Boots & Others v. Traton & Others
1594/5/7/23 (T)	GAP Group Limited and Another v DAF Trucks Limited and Others
1607/5/7/23 (T) (formerly CP-2022-000042)	Wincanton Holdings Limited and another v DAF Trucks Limited and others
1608/5/7/23 (T) (formerly CP-2022-000043)	Adnams PLC and others v DAF Trucks Limited and others
1609/5/7/23 (T) (formerly CP-2022-000048)	SP0117 Limited (as Assignee) and another v DAF Trucks Limited and others
1610/5/7/23 (T) (formerly CP-2022-000041)	Rowleys of Northwich Limited and others v DAF Trucks Limited and others
1633/5/7/24	Tesco Stores Limited & Another v Scania (Great Britain) Limited & Others
Case in Northern Ireland	
1536/5/7/22 (T)	C Faulkner & Sons v Aktiebolaget Volvo (Publ)
18/78144	JH Irwin & Son (Fuels) Limited -v- AB Volvo

20/22730	McHugh's Oil Limited -v- AB Volvo
18/33243	Niall McCann trading as NMC Haulage -v- AB Volvo
20/41004	Cynthia Beattie t/a Beattie Transport -v- AB Volvo
20/58996	J.C. Campbell (N.I.) Limited –v- DAF Trucks N.V.
20/58997	Gibson Bros Limited –v- DAF Trucks N.V.
20/58985	Joseph Walls Ltd –v- DAF Trucks NV
20/58980	M.G. Oils Limited–v- DAF Trucks NV
20/58992	J.K.C. Specialist Cars Limited–v- DAF Trucks NV
20/58976	G.P. Marketing Limited trading as Patterson Oil –v- DAF Trucks NV
22/53690	Cynthia Beattie t/a Beattie Transport –v- DAF Trucks NV
20/58991	J.H. Irwin & Son (Fuels) Limited –v- DAF Trucks NV
18/33233	Trevor Leckey t/a Stoneyford Concrete –v- DAF Trucks NV
20/58982	Derek O'Reilly t/a O'Reilly's The Sweet People -v- Daimler AG
20/58998	Patrick Megoran -v- Daimler AG
20/58974	Stephen Pollard -v- Daimler AG
21/05481	John Rodgers Limited -v- Daimler AG
20/58984	Andrew Ingredients Ltd -v- Daimler AG
18/78073	Kieran Quinn t/a Pomeroy Haulage -v- Daimler AG
20/58977	J.C. Campbell (N.I.) Limited -v- Daimler AG
22/53682	Cynthia Beattie t/a Beattie Transport -v- Daimler AG
20/58987	R Magowan & Son Limited -v- Iveco S.P.A
21/48587	C. Russell Auto Sales Ltd -v- Iveco S.P.A
20/58990	Kennedy & Morrison Limited -v- Iveco S.P.A
20/58994	Niall McCann t/a NMC Haulage -v- Iveco S.P.A
21/05466	John Rodgers Limited -v- Iveco S.P.A
18/78144	JH Irwin & Son (Fuels) Limited -v- AB Volvo
20/22730	McHugh's Oil Limited -v- AB Volvo
18/33243	Niall McCann trading as NMC Haulage -v- AB Volvo
20/41004	Cynthia Beattie t/a Beattie Transport -v- AB Volvo
20/58996	J.C. Campbell (N.I.) Limited –v- DAF Trucks N.V.
- Cases in Scotland	
1538/5/7/22 (T)	Clackmannanshire Council v VFS Financial Services Ltd & Others
1539/5/7/22 (T)	Angus Council v VFS Financial Services Limited & Others
1540/5/7/22 (T)	East Ayrshire Council v VFS Financial Services Ltd & Others
1541/5/7/22 (T)	The City of Edinburgh Council v VFS Financial Services Ltd
1542/5/7/22 (T)	East Lothian Council v VFS Financial Services Ltd & Others
1543/5/7/22 (T)	East Dunbartonshire Council v VFS Financial Services Limited
1544/5/7/22 (T)	Fife Council v VFS Financial Services Ltd & Others

1545/5/7/22 (T)	Midlothian Council v VFS Financial Services Ltd & Others
1546/5/7/22 (T)	Glasgow City Council v VFS Financial Services Ltd & Others
1547/5/7/22 (T)	Dundee City Council v VFS Financial Services Ltd & Others
1548/5/7/22 (T)	Scottish Water v VFS Financial Services Limited & Others
1549/5/7/22 (T)	West Lothian Council v VFS Financial Services Ltd & Others
1550/5/7/22 (T)	Perth & Kinross Council v VFS Financial Services Limited
1551/5/7/22 (T)	Stirling Council v VFS Financial Services Limited & Others
1552/5/7/22 (T)	Renfrewshire Council v VFS Financial Services Ltd & Others
1553/5/7/22 (T)	South Ayrshire Council V VFS & Others
1554/5/7/22 (T)	The North Ayrshire Council v VFS Financial Services Limited
1555/5/7/22 (T)	Western Isles Council v VFS Financial Services & Others
1556/5/7/22 (T)	West Dunbartonshire Council v VFS Financial Services
1557/5/7/22 (T)	North Lanarkshire Council v VFS Financial Services Ltd
1558/5/7/22 (T)	Scottish Borders Council v VFS Financial Services Limited
1559/5/7/22 (T)	Dundee CC & Others t/a Tayside Contracts v VFS FS Ltd & Others
1560/5/7/22 (T)	Aberdeenshire Council v VFS Financial Services Ltd & Others
1561/5/7/22 (T)	Argyll and Bute Council v VFS Financial Services Limited
1562/5/7/22 (T)	East Renfrewshire Council v VFS Financial Services Limited
1563/5/7/22 (T)	South Lanarkshire Council v VFS Financial Services Limited
1564/5/7/22 (T)	Grahams The Family Dairy (Processing Ltd) v CNH Industrial
1565/5/7/22 (T)	Grahams The Family Dairy Ltd v CNH Industrial N.V.
1566/5/7/22 (T)	Graham's Dairies Limited v CNH Industrial N.V.