



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: See Annex 1

BETWEEN:

THE CLAIMANTS IN THE PROCEEDINGS LISTED IN ANNEX 1

Claimants

- v -

THE DEFENDANTS IN THE PROCEEDINGS LISTED IN ANNEX 1

Defendants

(the “**Relevant Proceedings**”)

ORDER

UPON the application of the Claimants dated 5 March 2024 for permission to amend the details of the Claimants in the Claim Forms and Particulars of Claim in the Relevant Proceedings as set out in Annex 2 to this Order and for the changes to the Claimants in the Relevant Proceedings set out in Annex 3 to this Order

AND UPON the Claimants confirming that any new Claimant entity pursuing the claim of an entity which has been withdrawn from the Relevant Proceedings assumes the adverse costs liability of the withdrawn Claimant entity, and will not seek a reduction of any adverse costs liability as a consequence of the withdrawal or substitution

AND UPON the Claimants confirming that where a Claimant entity has been withdrawn from the Relevant Proceedings, the other Claimant entities within the same corporate group as the withdrawn Claimant entity remain jointly and severally liable for any adverse costs attributable to that withdrawn Claimant entity, and will not seek a reduction of any adverse costs liability as a consequence of the withdrawal

AND UPON the Defendants and Claimants agreeing to the terms of this Order without prejudice to any argument they may wish to make in the future on the impact of the withdrawal on the adverse costs liability of any claimant from a different corporate group to the withdrawing Claimant

AND UPON the Parties having agreed the terms of this Order as set out below

IT IS HEREBY ORDERED BY CONSENT THAT:

1. Permission is granted for the amendments to the details of the Claimants in the Claim Forms and Particulars of Claim in the Relevant Proceedings as set out in Annex 2 to this Order.
2. The entities referred to in Annex 2 shall be removed, added or substituted (as appropriate) as Claimants in the Relevant Proceedings in accordance with Annex 3 to this Order.
3. The Claimants shall, no later than 14 days after the date of this Order, file an amended Claim Form and Particulars of Claim in each of the Relevant Proceedings to reflect the amendments for which permission has been granted in paragraph 1 above and the changes to the Claimants effected by paragraph 2 above.
4. The Defendants shall, no later than 28 days after receipt of the amended Claim Forms and Particulars of Claim, if so advised, file amended Defences addressing any substantive matters arising from the amendments to the details of the existing Claimants or the changes to the Claimants. For the avoidance of doubt, the Defendants need not file amended Defences simply to reflect the amendments to the details of the existing Claimants and/or the changes to the Claimants.
5. The Claimants shall, no later than 28 days after receipt of any amended Defences, if so advised, file amended Replies responding to any substantive matters raised by the amendments to the Defences. For the avoidance of doubt, the Claimants need not file amended Replies simply to reflect amendments to the details of the existing Claimants and/or changes to the Claimants in any amended Defences.
6. In respect of paragraphs 3 to 5 above, the relevant parties are permitted to dispense with the formalities of serving each of the aforementioned amended statements of case on the other parties, but shall email the same to the representatives of the other parties within one day of filing.
7. The reasonable costs of amending the Claim Forms and Particulars of Claim and of any consequential amendments to the Defences and/or Replies shall be borne by the Claimants.
8. The Parties shall have liberty to apply.

Annex 1

MASTERCARD
1470/5/7/22 (T) Grove F&B Limited and others v Mastercard Incorporated and others
1374/5/7/20 (T) Caprice Holdings Limited and Others v Mastercard Incorporated and others
1376/5/7/20 (T) Pendragon PLC and Others v Mastercard Incorporated and Others
1469/5/7/22 (T) Vodafone Limited and Others v Mastercard Incorporated & Others

VISA
1397/5/7/21 (T) Grove F&B Limited and Others v Visa Europe Limited & Others
1390/5/7/21 (T) Caprice Holdings Limited and Others v Visa Europe Limited & Ors
1399/5/7/21 (T) Edwardian Ltd & Others v Visa Europe Limited & Other
1392/5/7/21(T) Euromaster France and Others v Visa Europe Limited & Others
1394/5/7/21 (T) Globalgrange Ltd & Others v Visa Europe Limited & Other
1519/5/7/22 (T) Ideal Shopping Direct Limited (In Administration) v Visa Europe Limited and Others
1400/5/7/21 (T) Melton House Investments Limited & Others v Visa Europe Limited & Others
1386/5/7/21 (T) Pendragon PLC & Others v Visa Europe Limited & Others
1395/5/7/21 (T) Shiva Hotels Heathrow Limited & Others v Visa Europe Limited & Others
1385/5/7/21 (T) Soho House UK Limited & Others v Visa Europe Limited & Others
1387/5/7/21 (T) Fattal Leonardo Royal Berlin Operation GmbH & Co. KG & Others v Visa Europe Limited & Others
1520/5/7/22 (T) Vodafone Limited and Others v Visa Europe Limited and Others