



IN THE COMPETITION APPEAL TRIBUNAL

Case: 1435/5/7/22 (T)

BETWEEN:

- (1) STELLANTIS AUTO SAS**
- (2) GIE PSA TRESORERIE**
- (3) STELLANTIS NV**
- (4) OPEL AUTOMOBILE GMBH**
- (5) STELLANTIS EUROPE SPA**
- (6) FCA SRBIJA D.O.O. KRAGUJEVAC**
- (7) FCA POLAND SP.Z O.O**
- (8) MASERATI SPA**
- ~~(9) SOCIETA EUROPEA VEICOLI
LEGGERI (SEVEL) SPA~~**
- (10) VAUXHALL MOTORS LTD**
- (11) STELLANTIS ESPAÑA SLU**

Claimants

- v -

- (1) AUTOLIV AB**
- (2) AUTOLIV, INC.**
- (3) AUTOLIV JAPAN LTD**
- (4) AUTOLIV B.V. & CO. KG**
- (5) AIRBAGS INTERNATIONAL LTD**
- (6) ZF TRW AUTOMOTIVE HOLDINGS
CORP.**
- (7) ZF AUTOMOTIVE SAFETY
GERMANY GMBH**
- (8) ZF AUTOMOTIVE GERMANY GMBH**
- (9) TRW SYSTEMS LTD**
- (10) ZF AUTOMOTIVE UK LTD**
- ~~(11) TOKAI RIKKA CO., LTD~~**
- ~~(12) TOYODA GOSEI CO., LTD~~**

Defendants

CONSENT ORDER

UPON the Application by the Claimants to these proceedings dated 30 August 2024

AND UPON the Parties having agreed the terms of this Order

BY CONSENT IT IS ORDERED THAT:

1. A request for international judicial assistance to the Court of Appeal of Turin (Corte di Appello di Torino, Corso Vittorio Emanuele II 130, 10138 - Torino) pursuant to Article 17 of the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters (the “**Hague Convention**”) be hereby issued in the terms of the attached request (the “**Request for Assistance**”).
2. Mr Alexander Blumrosen (the “**Commissioner**”) of Polaris Law be appointed as Commissioner, pending the approval of the Court of Appeal of Turin, to observe the cross-examination of one of the Claimants’ witnesses of fact who is an Italian national located in Italy (Turin), and will be cross-examined remotely via video link in aid of these proceedings, as specified in the Request for Assistance. The evidence sought from the witness is provided in the form of oral testimony reflecting his personal knowledge of the facts relating to the claims raised in these proceedings.
3. The following directions apply to the giving of evidence by the witness:
 - (a) the Claimants are to provide the Commissioner’s delegated Italian counsel (Mr Davide Graziano and/or his delegates from law firm Orsingher Ortu – Avvocati Associati, via Privata Fratelli Gabba 3, Milan) with the signed Consent Order and Request for Assistance, who will arrange for a translation of the documents into Italian;
 - (b) the Commissioner’s delegated Italian counsel will provide the Court of Appeal of Turin with the Consent Order and related Request for Assistance as well as the related Italian translations as soon as possible thereafter; and
 - (c) the Commissioner will observe the cross-examination of the witness which will take place remotely via video link.
4. The Commissioner is given discretion to conduct any part of the evidence process envisaged under the directions set out above remotely provided that this can be done to the satisfaction of the Tribunal and the Parties.
5. This Order and the Request for Assistance shall be provided to the Claimants who will within 2 working days request the Commissioner’s delegated Italian counsel to undertake all necessary formalities with the Court of Appeal of Turin (Corte di Appello di Torino, Corso Vittorio Emanuele II 130, 10138 - Torino).
6. Neither this Order nor the Request for Assistance nor any steps taken by the Commissioner or by the Claimants pursuant to the Hague Convention shall waive, or be deemed or argued to have waived, legal privilege or any other privilege, rights, protections or prohibitions that may apply to the evidence to be obtained under the laws of Italy or England & Wales.

7. Costs of this Application shall be in the case.

Justin Turner KC

Chair of the Competition Appeal Tribunal

Made: 3 September 2024

Drawn: 3 September 2024