



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case Nos: 1517/11/7/22 (UM)

1266/7/7/16

BETWEEN:

**UMBRELLA INTERCHANGE FEE CLAIMANTS**

- v -

**UMBRELLA INTERCHANGE FEE DEFENDANTS**

(the “Merchant Interchange Fee Umbrella Proceedings”)

AND BETWEEN

**WALTER HUGH MERRICKS CBE**

Class Representative

(the “Merricks Class Representative”)

- v -

**(1) MASTERCARD INCORPORATED**

**(2) MASTERCARD INTERNATIONAL INCORPORATED**

**(3) MASTERCARD EUROPE S.P.R.L.**

Mastercard Defendants

(the “Merricks Collective Proceedings”)

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**ORDER (DOCUMENT REQUEST PROCESS)**

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**UPON** the Reasoned Order of the Tribunal made on 11 July 2024 requiring each party to set out its positive case as to the facts and extent (if any) of merchant pass-on by 4pm on 7 August 2024 and requiring the parties to consider the process for any disclosure or other applications following receipt of those positive cases

**AND UPON** hearing the submissions of counsel at the mini-CMC on 19 July 2024 (the “19 July CMC”) in respect of the process for document requests following exchange of positive

cases on merchant pass-on

**IT IS ORDERED THAT:**

1. As soon as reasonably possible and in any event by 21 August 2024, any party that seeks further documents from another party shall prepare a request for the documents sought in the form of a Redfern Schedule (a “Request”) and send its Request(s) to the relevant party(ies) copying all other parties.
2. By 4 September 2024, any party that is the subject of a Request shall respond to the Request(s) by filling in the appropriate column in the Redfern Schedule (a “Response”) and sending its Response(s) to the requesting party(ies) copying all other parties.
3. The responding party shall produce any requested documents that it agrees to provide as soon as possible on or after 4 September 2024 on a rolling basis, with all documents to be produced by no later than 11 September 2024.
4. By 4pm on 11 September 2024, the Redfern Schedule containing any disputed Requests shall be filed with the Tribunal.
5. The Tribunal will seek to determine any disputed Requests on the papers by midday on 16 September 2024.
6. A CMC is to be provisionally listed for the afternoon of 16 September 2024 at which, if required, the Tribunal will determine any disputed Requests that could not be resolved on the papers and, if necessary, set a timetable for any further document production ordered. Parties are at liberty to instruct leading counsel to attend the CMC.
7. Costs in the case in the Proceedings.
8. There shall be liberty to apply.

**Ben Tidswell**

Chair of the Competition Appeal Tribunal

Made: 30 July 2024

Drawn: 30 July 2024