



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: 1420/5/7/21 (T); 1338/5/7/20 (T);
1608/5/7/23 (T); 1417/5/7/21 (T); 1594/5/7/23 (T);
1610/5/7/23 (T); 1609/5/7/23 (T); 1607/5/7/23 (T)

BETWEEN:

THE EDWIN COE CLAIMANTS

Claimants

- v -

THE DAF DEFENDANTS

Defendants

ORDER

UPON the following definitions applying for the purposes of this Order:

- (i) the proceedings in the Appendix to this Order being the **“Edwin Coe Proceedings”**;
- (ii) the Claimants in those proceedings being the **“Edwin Coe Claimants”**;
- (iii) the following Defendants to the Edwin Coe Proceedings being the **“DAF Defendants”**:
 - a. first to fifth and twenty-sixth Defendants in the proceedings with Case No. 1338/5/7/20 (T); and
 - b. first to fourth Defendants to the remainder of the Edwin Coe Proceedings.

AND UPON the Edwin Coe Claimants and DAF Defendants no longer being in dispute with each other regarding the subject matter of these Proceedings (the **“Resolution”**)

AND UPON the parties to this Order recognising the guidance of the Tribunal in the Tribunal's Ruling on Umbrella Proceedings Cost Sharing Orders, [2024] CAT 12:

- (1) The effect of the settlement is that the Edwin Coe Claimants cease to have a claim against the DAF Defendants. To the extent that the Tribunal has any costs jurisdiction over the Edwin Coe Claimants and/or the DAF Defendants (as to which this order says nothing), a costs order against one of them in favour of the other may not be a just exercise of the Tribunal's costs discretion.
- (2) Whilst the DAF Defendants (if still parties to the Second Wave Proceedings) would be entitled, as appropriate, to seek costs orders against those claimants in the Second Wave Proceedings who have not settled ("**Non-Settling Claimants**"), the Tribunal will be reluctant to order such Non-Settling Claimants to pay costs that are attributable to the Edwin Coe Claimants.
- (3) The Tribunal may, accordingly, reduce the costs recoverable by the DAF Defendants (if still parties to the Second Wave Proceedings) against Non-Settling Claimants by an amount referable to the costs incurred prior to the date of the settlement that would (but for the settlement) have been paid by the Edwin Coe Claimants.
- (4) Whilst the Edwin Coe Claimants (if still a party to the Second Wave Proceedings) would be entitled, as appropriate, to seek costs orders against those defendants in the Second Wave Proceedings who have not settled ("**Non-Settling Defendants**"), the Tribunal will be reluctant to order such Non-Settling Defendants to pay costs that are attributable to the DAF Defendants.
- (5) The Tribunal may, accordingly, reduce the costs recoverable by the Edwin Coe Claimants (if still a party to the Second Wave Proceedings) against Non-Settling Defendants by an amount referable to the costs incurred prior to the date of the settlement

BY CONSENT IT IS ORDERED THAT:

1. The Edwin Coe Proceedings as between the Edwin Coe Claimants and the DAF Defendants be dismissed.
2. There shall be no order as to costs.
3. This order shall be served by the Edwin Coe Claimants on the DAF Defendants.

Service of the order

The Tribunal has provided a sealed copy of this order to the solicitors acting on behalf of the serving party: Edwin Coe LLP

The Honourable Mr Justice Ian Huddleston
Chair of the Competition Appeal Tribunal

Made: 24 March 2025
Drawn: 24 March 2025

APPENDIX

Claim No.	Title
1338/5/7/20 (T)	Adnams plc and Others v DAF Trucks Limited and Others
1420/5/7/21 (T)	A to Z Catering Supplies Limited and Others v DAF Trucks Limited and Others
1417/5/7/21 (T)	Dan Ryan Truck Rental Limited and Others v DAF Trucks Limited and Others
1608/5/7/23 (T)	Adnams plc and Others v DAF Trucks Limited and Others
1594/5/7/23 (T)	GAP Group Limited and MV Commercial Limited v DAF Trucks Limited and Others
1610/5/7/23 (T)	Rowleys of Northwich Ltd and Others v DAF Trucks Limited and Others
1609/5/7/23 (T)	SP0117 Limited and Marcol Limited v DAF Trucks Limited and Others
1607/5/7/23 (T)	Wincanton Holdings Limited and Others v DAF Trucks Limited and Others