



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: 1420/5/7/21 etc.
(as listed in Annex 1)

BETWEEN:

THE CLAIMANTS TO THE CLAIMS LISTED IN ANNEX 1

Claimants

-v-

THE DEFENDANTS TO THE CLAIMS LISTED IN ANNEX 1

Defendants

-and-

THE THIRD PARTIES TO THE CLAIMS LISTED IN ANNEX 1

Third Parties

(together, the *Parties*)

CONSENT ORDER

UPON the Tribunal case managing the proceedings specified in Annex 1 to this Order together (together, the *Proceedings*)

AND UPON the application of the Volvo/Renault Defendants (as defined below), dated 6 May 2025

AND UPON the Parties agreeing to the terms of this order

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

- **“Volvo/Renault Defendants”** means Aktiebolaget Volvo (Publ), Volvo Lastvagnar Aktiebolag, Volvo Group Trucks Central Europe GMBH, Volvo Group UK Limited,

VFS Financial Services Limited, Renault Trucks SAS and Renault Truck Commercials Limited.

BY CONSENT IT IS ORDERED THAT:

1. A request for international judicial assistance to the French Ministère de la Justice 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 (*Request for Assistance*).
2. Mr Alexander Blumrosen (the *Commissioner*) of Polaris Law be appointed as Commissioner, pending the approval of the Ministère de la Justice, to take the evidence (and, if applicable, any reply evidence) sought by the Volvo/Renault Defendants in aid of the Proceedings from witnesses who are located in France or are French citizens (the *French Factual Witnesses*). The evidence sought from the French Factual Witnesses is to be provided in the form of signed and dated written statements reflecting their personal knowledge of the facts relating to the claims raised in the Proceedings.
3. As is common practice in English proceedings, in order to ensure fairness between all Parties in accordance with English requirements of due process, the Claimants shall remain unaware of the identities of the French Factual Witnesses until their written statements are filed in the Proceedings. The Volvo/Renault Defendants will provide the French Ministère de la Justice (via the Commissioner) with the names of the French Factual Witnesses under confidential cover. The Commissioner will also inform the French Ministère de la Justice upon completion of the process of taking evidence from the French Factual Witnesses. For completeness and so as to enable the Tribunal to make the Request for Assistance envisaged by this Order on a fully informed basis, the French Factual Witnesses are listed at **Annex 2** to this Order. However, at the request of the Volvo/Renault Defendants, the Tribunal shall not publish Annex 2 of this Order and shall keep it confidential, including as between the Parties.
4. The following directions apply to the giving of evidence by the French Factual Witnesses:
 - (a) the Volvo/Renault Defendants are to provide the Commissioner with this sealed Order, who will arrange for a translation of the Order into French;
 - (b) the Volvo/Renault Defendants are to provide the Commissioner with the names of the French Factual Witnesses under confidential cover;
 - (c) the Commissioner will provide the French Ministère de la Justice with the Order, names of the French Factual Witnesses and translation as soon as possible thereafter;
 - (d) the Volvo/Renault Defendants are to liaise with the Commissioner to determine an appropriate time for the taking of evidence;

- (e) the Commissioner may take the evidence of the French Factual Witnesses remotely via video-link (or in person);
 - (f) the appropriate place for the taking of evidence is remotely via video-link or in person at the offices of the Volvo/Renault Defendants' legal advisors, whether located in England or France; and
 - (g) the relevant French Factual Witnesses will sign their witness evidence under the observation of the Commissioner (whether by video-link or in person).
5. 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 Volvo/Renault Defendants.
6. This Order and the Request for Assistance shall be provided to the Volvo/Renault Defendants who shall request the Commissioner to file the witness evidence, along with French translations of such documents, with the Ministère de la Justice, Direction des Affaires Civile et du Sceau, Département de l'entraide, du droit international privé et européen, 13, Place Vendôme, 75042 Paris Cedex 01, France.
7. This initial Order and Request for Assistance are not definitive and there may be other witnesses that will be identified in subsequent requests.
8. All costs of this Hague Convention process, including, without limitation the fees of the Commissioner, the expenses of the French authorities, translation fees and any other documents shall be borne by the Volvo/Renault Defendants.
9. Neither this Order nor the Request for Assistance nor any steps taken by the Commissioner or by the Volvo/Renault Defendants pursuant to the Hague Convention shall waive, or be deemed or argued to have waived, legal privilege or any other privileges, rights, protections or prohibitions that may apply to the evidence to be obtained under the laws of France or England.
10. Costs of this Application shall be in the case.

The Honourable Mr Justice Huddleston
Chair of the Competition Appeal Tribunal

Made: 13 May 2025
Drawn: 13 May 2025

ANNEX 1: THE PROCEEDINGS

ANNEX 1: CASES INCLUDED IN THE SECOND WAVE TRUCKS PROCEEDINGS

| Case Number | Case Name |
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| 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 |
| 1594/5/7/23 (T) | GAP Group Limited and Another v DAF Trucks Limited and Others |
| 1610/5/7/23 (T) | Rowleys of Northwich Limited and others v DAF Trucks Limited and others |
| 1607/5/7/23 (T) | Wincanton Holdings Limited and another v DAF Trucks Limited and others |
| 1608/5/7/23 (T) | Adnams PLC and others v DAF Trucks Limited and others |
| 1609/5/7/23 (T) | SP0117 Limited (as Assignee) and another v DAF Trucks Limited and others |
| 1616/5/7/23 (T) | Boots & Others v. Traton & Others |
| 1633/5/7/24 | Tesco Stores Limited & anor v Scania (Great Britain) limited & others |
| Cases in Northern Ireland | |
| 1536/5/7/22 (T) | C Faulkner & Sons v Aktiebolaget Volvo (Publ) |
| 1674/5/7/24 (T) | J.C. Campbell (N.I.) Limited –v- DAF Trucks N.V. |
| 1675/5/7/24 (T) | Gibson Bros Limited –v- DAF Trucks N.V. |

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| 1676/5/7/24 (T) | Joseph Walls Ltd –v- DAF Trucks NV |
| 1677/5/7/24 (T) | M.G. Oils Limited–v- DAF Trucks NV |
| 1678/5/7/24 (T) | J.K.C. Specialist Cars Limited–v- DAF Trucks NV |
| 1679/5/7/24 (T) | G.P. Marketing Limited trading as Patterson Oil –v- DAF Trucks NV |
| 1680/5/7/24 (T) | J.H. Irwin & Son (Fuels) Limited –v- DAF Trucks NV |
| 1681/5/7/24 (T) | Trevor Leckey t/a Stoneyford Concrete –v- DAF Trucks NV |
| 1682/5/7/24 (T) | John Rodgers Limited -v- Daimler AG |
| 1683/5/7/24 (T) | R Magowan & Son Limited -v- Iveco S.P.A |
| 1684/5/7/24 (T) | C. Russell Auto Sales Ltd -v- Iveco S.P.A |
| 1685/5/7/24 (T) | Kennedy & Morrison Limited -v- Iveco S.P.A |
| 1686/5/7/24 (T) | Niall McCann t/a NMC Haulage -v- Iveco S.P.A |
| 1687/5/7/24 (T) | John Rodgers Limited -v- Iveco S.P.A |
| 1703/5/7/25 (T) | AH Fuel Oils Limited v AB Volvo |
| 1704/5/7/25 (T) | Anthony McLornan Trading as McLornan Transport v Renault SAS |
| 1705/5/7/25 (T) | Hyland Fuels (N.I) Limited v AB Volvo |
| 1706/5/7/25 (T) | J Stockdale and Son Limited v AB Volvo |
| 1707/5/7/25 (T) | J.C. Campbell (N.I.) Limited v AB Volvo |
| 1708/5/7/25 (T) | JH Irwin & Son (Fuels) Limited -v- AB Volvo |
| 1709/5/7/25 (T) | McHugh's Oil Limited -v- AB Volvo |
| 1710/5/7/25 (T) | Niall McCann trading as NMC Haulage -v- AB Volvo |
| 1711/5/7/25 (T) | Cynthia Beattie t/a Beattie Transport -v- AB Volvo |
| 1714/5/7/25 (T) | J.C. Campbell (N.I.) Limited -v- Daimler AG |
| 1715/5/7/25 (T) | Derek O'Reilly t/a O'Reilly's The Sweet People -v- Daimler AG |
| 1716/5/7/25 (T) | Patrick Megoran -v- Daimler AG |
| 1717/5/7/25 (T) | Stephen Pollard -v- Daimler AG |
| 1718/5/7/25 (T) | Andrew Ingredients Ltd -v- Daimler AG |
| 1719/5/7/25 (T) | Kieran Quinn t/a Pomeroy Haulage -v- Daimler AG |
| 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 |

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| 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 |