



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1378/5/7/20
1408/7/7/21
1673/7/7/24

BETWEEN:

(1) EPIC GAMES, INC.
(2) EPIC GAMES ENTERTAINMENT INTERNATIONAL GMBH
Claimants (together, “Epic”)

- v -

(1) ALPHABET INC.
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LIMITED
(5) GOOGLE PAYMENT LIMITED

Defendants
(the “Epic Proceedings”)

AND BETWEEN:

(1) ELIZABETH HELEN COLL

Class Representative

- v -

(1) ALPHABET INC.
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LIMITED
(5) GOOGLE PAYMENT LIMITED

Defendants
(the “Coll Proceedings”)

AND BETWEEN:

(1) PROFESSOR BARRY RODGER

Class Representative

- v -

(1) ALPHABET INC.

(2) GOOGLE LLC

(3) GOOGLE IRELAND LIMITED

(4) GOOGLE ASIA PACIFIC PTE LIMITED

(5) GOOGLE COMMERCE LIMITED

(6) GOOGLE PAYMENT LIMITED

(7) GOOGLE UK LIMITED

Defendants
(the “Rodger Proceedings”)

CONSENT ORDER

UPON reading the Defendants’ requests for further disclosure from Epic, as set out in the Redfern Schedule dated 3 December 2024 (the **2024 Redfern Schedule**), the numbered requests set out therein (each a **Request**), and the evidence referenced therein

AND UPON the Tribunal’s Order in the Coll Proceedings and the Epic Proceedings made and drawn on 10 January 2025 (the **10 January Order**), as amended by the Consent Order dated 14 February 2025

AND UPON the Tribunal’s Order in the Coll Proceedings and the Epic Proceedings made and drawn on 4 March 2025 (the **4 March Order**) relating to Epic’s Re-re-re-re-Amended Claim Form (the **5ACF**)

AND UPON reading the letters to the Tribunal from RPC dated 14 March 2025 and 11 April 2025.

AND UPON reading NRF's letter to RPC dated 14 April 2025 enclosing a draft consent order

AND HAVING REGARD TO the Tribunal's powers under the Competition Appeal Tribunal Rules 2015.

BY CONSENT

IT IS ORDERED THAT:

Requests 5, 7 and 9 of the 2024 Redfern Schedule

1. Paragraphs 12, 18, 21 and 22 of the 10 January Order shall be deleted and replaced with the following:

(a) Google shall by **12pm on 16 May 2025**:

(i) set out in writing its position on the adequacy of the Request 5 and Request 7 disclosure which Epic has provided to date including by reference to the search terms and / or custodians applied by Epic; and

(ii) set out in writing, by reference to the 5ACF and the documents disclosed by Epic to date, the basis on which it is alleged Epic's disclosure is deficient with respect to Request 9.

(b) Epic shall, by **5pm on 30 May 2025**, respond in writing to the matters referred to at paragraph 1(a) above.

Addressing outstanding disclosure requests (including Requests 5, 7 and 9 of the 2024 Redfern Schedule)

2. Outstanding disclosure issues in the Epic Proceedings shall be addressed at a CMC to be listed for one day on 23 June 2025 (the **Disclosure CMC**).

3. By **5pm on 4 June 2025**, Google and Epic shall each serve on the other a Redfern schedule setting out their outstanding disclosure requests and short justifications for the same.
4. By **5pm on 10 June 2025**, Google and Epic shall each serve on the other responses to the other parties' disclosure requests in the respective Redfern schedule.
5. By **5pm on 16 June 2025**, Google and Epic shall each reply to the other's responses in their respective Redfern schedules.
6. By **5pm on 17 June 2025**, Google shall file the final consolidated Redfern schedule with the Tribunal.
7. By **4pm on 18 June 2025**, the parties shall file skeleton arguments for the Disclosure CMC.

Costs

8. Costs in the case.

Liberty to apply

9. The parties shall have liberty to apply in respect of this order.

Bridget Lucas KC
Chair of the Competition Appeal Tribunal

Made: 23 May 2025
Drawn: 23 May 2025