



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos. 1720/7/7/25
1733/7/7/25

BETWEEN:

OR BROOK CLASS REPRESENTATIVE LIMITED

Proposed Class Representative

- and -

(1) ALPHABET INC

(2) GOOGLE LLC

(3) GOOGLE IRELAND LIMITED

(4) GOOGLE UK LIMITED

(5) GOOGLE ASIA PACIFIC PTE LIMITED

(6) GOOGLE COMMERCE LIMITED

Proposed Defendants

AND BETWEEN:

MR ROGER KAYE KC

Proposed Class Representative

- and -

(1) ALPHABET INC

(2) GOOGLE LLC

(3) GOOGLE IRELAND LIMITED

(4) GOOGLE UK LIMITED

Proposed Defendants

ORDER (CERTIFICATION DIRECTIONS)

UPON Or Brook Class Representative Limited (the “**Brook PCR**”) having applied for a collective proceedings order (“**CPO**”) on 15 April 2025 in case number 1720/7/7/25 (the “**Brook Proceedings**”)

AND UPON Mr Roger Kaye KC (the “**Kaye PCR**”) having applied for a CPO on 27 May 2025 in case number 1733/7/7/25 (the “**Kaye Proceedings**”)

AND UPON the Brook PCR’s application for a CPO and the Kaye PCR’s application for a CPO (each a “**CPO Application**” and together the “**CPO Applications**”) (i) overlapping (at least in part) with each other and (ii) covering (at least in part) the same subject-matter as case 1606/7/7/23 (the “**Stopford Proceedings**”)

AND UPON the Tribunal having made a CPO in the Stopford Proceedings

AND UPON the Tribunal setting directions for deciding which of the Brook PCR and the Kaye PCR would be most suitable to act as class representative for the purpose of Rule 78(2) of the Rules (the “**Carriage Issue**”)

AND UPON hearing counsel for the parties at a case management conference on 2 July 2025

AND UPON considering the governing principles pursuant to Rule 4 of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 N0. 1648) (the “**Tribunal Rules**”) and the Tribunal’s power under Rule 53 of the Tribunal Rules

IT IS ORDERED THAT:

FORUM

1. Pursuant to Rules 18, 52 and 74 of the Tribunal Rules, the CPO Applications are to be treated as being made in proceedings in England and Wales.

DISCLOSURE

2. By 4pm **1 week** after the making of this order, the Proposed Defendants shall disclose the Defence in the Stopford Proceedings dated 26 February 2025 to the Proposed Class Representatives.

PUBLICITY

3. By 4pm **1 week** after the handing down of the Tribunal's judgment on the Carriage Issue, the Proposed Class Representative which is successful on the Carriage Issue (the "**PCR**") shall publicise their CPO Application in accordance with the terms of the notice approved by the Tribunal. In doing so, the PCR shall publicise:
 - a) in accordance with paragraph 6 of this Order, the right under Rule 76(10)(c) of the Tribunal Rules of persons with an interest to object to the CPO Application or the authorisation of the PCR; and
 - b) in accordance with paragraph 7 of this Order, the right under Rule 79(5) of the Tribunal Rules of any of the members of the proposed class (as defined in the PCR's CPO Application) (the "**Proposed Class Members**") to make an application to the Tribunal for permission to make written and/or oral submissions at the hearing of the PCR's CPO Application.

RESPONSE AND REPLY

4. By 4pm **8 weeks** after the handing down of the Tribunal's judgment on the Carriage Issue, the Proposed Defendants shall file and serve their response to the PCR's CPO Application, together with any expert or factual evidence, and any application made pursuant to rule 79(4) of the Tribunal Rules.
5. By 4pm **4 weeks** after service of the Proposed Defendants' response to the PCR's CPO Application, the PCR shall file and serve any reply to the Proposed Defendants' response, together with any expert or factual evidence, and any response to any application made pursuant to rule 79(4) of the Tribunal Rules.

OBJECTIONS TO AND OBSERVATIONS ON THE CPO APPLICATION

6. Any person with an interest (including any of the Proposed Class Members) may object to the PCR's CPO Application or the authorisation of the PCR by writing to the Tribunal, stating their reasons for objecting, by 4pm **7 weeks** after the handing down of the Tribunal's judgment on the Carriage Issue.
7. Any of the Proposed Class Members may apply to the Tribunal for permission to make written and/or oral submissions at the hearing of the PCR's CPO Application, stating their reasons for wishing to do so, by 4pm **7 weeks** after the handing down of the Tribunal's judgment on the Carriage Issue.

SKELETON ARGUMENT AND BUNDLES

8. The PCR shall file an electronic version and six hard copies of the agreed bundle for the hearing of the PCR's CPO Application by 4pm **2 weeks** prior to the hearing of the PCR's CPO Application.
9. The parties to the PCR's CPO Application shall file and serve skeleton arguments by 4pm **1 week** before the hearing of the PCR's CPO Application.
10. The PCR shall file an electronic version of the agreed authorities bundle for the hearing of the PCR's CPO Application by 4pm **2 clear days** before the hearing of the PCR's CPO Application.

HEARING

11. The hearing of the PCR's CPO Application be listed for the earliest available date **14 weeks** after the handing down of the Tribunal's judgment on the Carriage Issue, with a time estimate of one day with one day in reserve.

GENERAL

12. Costs in the PCR's CPO Application.
13. There be liberty to apply.
14. The parties may vary any deadline in this Order by agreement and without further order, provided that they inform the Tribunal of such agreement in advance of the expiry of the relevant deadline and the extension does not affect the dates of any listed hearings.

The Honourable Mr Justice Meade

Chair of the Competition Appeal Tribunal

Made: 2 July 2025

Drawn: 24 July 2025