

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF
ENGLAND AND WALES
COMPETITION LIST (ChD)

MASTER CLARK
3 JUNE 2025

BETWEEN:

MANOLETE PARTNERS PLC

-and-

(1) – (27) DAF TRUCKS DEUTSCHLAND GMBH & OTHERS

Claimant

Defendants

Case No. CP-2022-000044



CP-2022-000044

CONSENT ORDER

UPON the above proceedings having been commenced by Claim Form dated 14 July 2022 (amended on 24 October 2022) (the “**Proceedings**”)

AND UPON the Claimant having validly served on each of the Defendants the Amended Claim Form, Particulars of Claim and supporting documents on 26 October 2022

AND UPON the Order of Master Clark dated 28 October 2022 (the “**Stay Order**”) which stayed the Proceedings

AND UPON the Claimant having given written notice in accordance with paragraph 2 of the Stay Order to each Defendant to lift the stay by letters dated 3 January 2025

AND UPON the Claimant having notified each of the Defendants, by the same letters dated 3 January 2025, of its intention to apply to transfer the Proceedings to the Competition Appeal Tribunal (“**the CAT**”) with a view to becoming a “stayed Claimant” (within the meaning of paragraph 14(5) of *Ruling (Future Conduct of the Proceedings* [2024] CAT 2) in relation to the trial of the “**Trucks Second Wave Proceedings**” (as referred to in the same ruling)

AND UPON each Defendant consenting to the transfer of the Claim to the CAT but objecting to the Claim being determined as part of the Trucks Second Wave Proceedings

AND HAVING REGARD TO the Overriding Objective in CPR Rule 1.1 and paragraphs 8.3 to 8.6 and 8.10 to 8.13 of Practice Direction 30 (“**Practice Direction 30**”), supplementing CPR Part 30

AND UPON the parties having agreed to the terms of this Order in draft form

BY CONSENT IT IS ORDERED THAT:

Transfer

1. The Proceedings are transferred to the CAT.
2. The sending of this Order to the parties and to the CAT shall constitute notice to them for the purposes of paragraphs 8.5 and 8.12 of Practice Direction 30 and CPR Rule 30.4(1).
3. Neither this Order giving effect to the said transfer, nor the transfer itself, is intended to alter, limit or exclude in any respect any element of the Claimant's claim as constituted in this Court prior to the transfer taking effect. If and to the extent that any element of the Claimant's claim as constituted in this Court prior to the transfer taking effect is not capable of falling within the jurisdiction of the CAT on a transfer, or would be altered, limited or excluded by this Order or the transfer, it is not subject to this Order and remains within the jurisdiction of this Court.
4. The Proceedings were and shall continue to be regarded as having been commenced in this Court. Any further statements of case or amendments to a statement of case shall be made in accordance with the Civil Procedure Rules (the "**CPR**") and not with the CAT Rules 2015 and any settlement offers made under Part 36 of the CPR prior to the date of this Order shall be treated as governed by the CPR, including as to the consequences of any such offer.
5. Any appeal to the Court of Appeal against the determination by the CAT of the issues transferred or an order of the Court giving effect to that determination shall be governed by the rules in CPR Part 52.
6. This Court may give such further directions or make such further orders as it thinks fit in connection with the transfer and/or with any such element as referred to above.

Directions on the future conduct of Proceedings

7. The Claimant shall within 28 days of receipt of a sealed copy of this Order apply to the CAT for directions on the future conduct of the Proceedings ("**the Application**").
8. The Defendants shall file their reply, if so advised, within 28 days of the Application.
9. The Claimant shall file any evidence in reply, if so advised, within 14 days of the deadline for the Defendants to file their reply to the Application.
10. The directions at paragraphs 3(3) and 4 of the Stay Order are stayed.

Costs

11. There is no order as to costs.

Other

12. The Claimant shall serve this order on the Defendants.

Service of the order

The court has provided a sealed copy of this order to the serving party:

Collyer Bristow LLP, St Martin's Court, 10 Paternoster Row, London EC4M 7HP

Ref: SAR/NJL/63226.43