



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1589/5/7/23 (T)

BETWEEN:

INFEDERATION LIMITED
(“Foundem”)

Claimant

- v -

(1) GOOGLE LLC
(2) GOOGLE IRELAND LIMITED
(3) GOOGLE UK LIMITED

Defendants

AND BETWEEN:

Case No: 1424/5/7/21 (T)

(1) KELKOO.COM (UK) LIMITED
(2) KELKOO SAS
(3) JAMPLANT LIMITED
(4) KELKOO INTERNET SL
(5) KELKOO AS
(6) KELKOO SRL
(7) KELKOO NETHERLANDS BV
(8) KELKOO AB
(9) KELKOO DEUTSCHLAND GMBH
(10) KELKOO DANMARK A/S
(11) JOLT LIMITED
(together “Kelkoo”)

Claimants

- v -

(1) GOOGLE UK LIMITED
(2) GOOGLE IRELAND LIMITED
(3) GOOGLE LLC

Defendants

AND BETWEEN:

WHITEWATER CAPITAL LIMITED
("Ciao")

Claimant

- v -

(1) GOOGLE LLC
(2) ALPHABET INC

Defendants

AND BETWEEN:

(1) SKIMBIT LTD
(2) CONNEXITY EUROPE GMBH
(3) CONNEXITY INC
(together, "**Connexity**")

Claimants

- v -

(1) GOOGLE UK LIMITED
(2) GOOGLE IRELAND LIMITED
(3) GOOGLE LLC
(4) ALPHABET INC
(together, "**Google**")

Defendants

ORDER

UPON the Order of the Tribunal made on 26 March 2024 and drawn on 15 May 2024 (the "**May 2024 Directions Order**") giving directions for the joint case management of Case No: 1589/5/7/23 (T) (the "**Foundem Proceedings**"), Case No: 1424/5/7/21 (T) (the "**Kelkoo Proceedings**"), Case No: 1596/5/7/23 (the "**Ciao Proceedings**"), and Case No: 1636/5/7/24 (T) (the "**Connexity Proceedings**") (the Foundem Proceedings, the Kelkoo Proceedings, the Ciao Proceedings and the Connexity Proceedings together the "**UK Shopping Proceedings**")

AND UPON a Case Management Conference taking place on 18-19 November 2024

AND UPON the Order of the Tribunal made and drawn on 20 December 2024 (the “**December Directions Order**”) giving directions in respect of the Preliminary Issue Trial and further directions to the First Trial in the UK Shopping Proceedings

AND UPON the Preliminary Issue Trial taking place on 17-19 March 2025

AND UPON the Tribunal’s judgment in respect of the Preliminary Issues Trial being handed down on 9 July 2025

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

The “**Counterfactual Issue**” means the common issue defined in paragraph 12(b) of the May 2024 Directions Order.

The “**First Trial**” means the defined term in paragraph 12 of the May 2024 Directions Order.

The “**Liability Issue**” means the common issue defined in paragraph 12(a) of the May 2024 Directions Order as amended by paragraph 1 of the December Directions Order.

IT IS ORDERED THAT:

A. FURTHER DIRECTIONS TO THE FIRST TRIAL

Amendments to Pleadings

1. By 4pm on 20 August 2025, the Claimants shall file and serve any amended Particulars of Claim or Claim Form on Google.
2. By 4pm on 24 September 2025, Google shall file and serve any amended Defence(s).
3. By 4pm on 15 October 2025, the Claimants shall file and serve any amended Replies.

Factual witness evidence

4. By 4pm on 23 October 2025, the parties shall file and serve factual witness statements for the First Trial (pursuant to paragraph 10 of the December Directions Order).
5. By 4pm on 23 December 2025, the parties shall file and serve factual witness statements in reply (pursuant to paragraph 11 of the December Directions Order).

Expert reports

6. By 4pm on 12 December 2025, the experts shall meet on a without prejudice basis and in the absence of lawyers to agree a list of the particular issues and areas within the Liability Issue and the Counterfactual Issue that they will address in their expert reports. That list will subsequently be furnished to the parties.
7. By 4pm on 4 February 2026, the Claimants shall file and serve their joint expert report on the Liability Issue and the Counterfactual Issue.
8. By 4pm on 27 March 2026, the Defendants shall file and serve their expert report in response on the Liability Issue and the Counterfactual Issue.
9. By 4pm on 7 May 2026, if so advised, the Claimants shall file and serve their joint reply expert report on the Liability Issue and the Counterfactual Issue.
10. By 4pm on 19 May 2026 the experts shall meet on a without prejudice basis and in the absence of lawyers to prepare a joint statement of the particular issues on which they are agreed and on which they disagree, with brief reasons for any disagreement.
11. By 4pm on 27 May 2026, the parties shall file with the Tribunal the joint expert statement prepared pursuant to paragraph 10 above.

Trial 1 Timetable

12. The parties are to seek to agree a proposed trial timetable. The Claimants will file and serve the proposed timetable, to the extent it is agreed, by 4pm on 4 May 2026. To the extent that a proposed timetable is not agreed, the Claimants will file and serve a

proposed timetable with the Tribunal, setting out the points agreed and not agreed between the parties.

PTR

13. The Pre-Trial Review is to be held during the window of 11 May 2026 to 22 May 2026, with a time estimate of one day.

Trial Bundles

14. By 4pm on 13 March 2026, the Claimants shall serve a draft trial bundle index on the Defendants;
15. By 4pm on 20 March 2026, the Defendants shall provide any comments on the draft trial bundle index; and
16. By 4pm on 7 April 2026, the Claimants shall file and serve the agreed trial bundle in electronic form only.
17. Should the parties wish to add additional documents to, or otherwise make changes to, the agreed trial bundle, including the preparation of an authorities bundle, at any time after 27 March 2026 the parties shall agree to such changes in correspondence.

Written submissions

18. By 4pm on 5 June 2026, the Claimants shall file and serve written opening submissions; and
19. By 4pm on 12 June 2026, the Defendants shall file and serve written opening submissions.

B. FURTHER MATTERS

20. The parties may agree to extend any time period in this Order for a period or periods of up to 21 days in total without reference to the Tribunal, provided that this does not

affect the dates given for any case management conference, the Pre-Trial Review or the First Trial. The parties shall notify the Tribunal in writing of the expiry date of any such extension.

21. Costs in the cases.
22. There be liberty to apply.

Sir Peter Roth

Chair of the Competition Appeal Tribunal

Made: 1 August 2025

Drawn: 4 August 2025