



IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1433/7/7/22

BETWEEN:

DR LIZA LOVDAHL GORMSEN

Class Representative

- v -

(1) META PLATFORMS, INC.

(2) META PLATFORMS IRELAND LIMITED

(3) FACEBOOK UK LIMITED

Defendants

- and -

COMPETITION AND MARKETS AUTHORITY

Intervener

ORDER

UPON the Tribunal making a Collective Proceedings Order on 2 May 2024

AND UPON the Tribunal's order of 10 January 2025 following a Case Management Conference on 16 December 2024 (“**CMC1**”), in which the Tribunal directed that (*inter alia*): (i) the Defendants were to file a disclosure report (a “**DR**”) and an Electronic Documents Questionnaire (an “**EDQ**”) by 4pm on 20 March 2025; and (ii) a Case Management Conference be listed on 15 July 2025 with a day in reserve to address disclosure (“**CMC3**”). **AND UPON** the Defendants having filed and served a DR and EDQ on 20 March 2025, pursuant to the Tribunal's order of 10 January 2025.

AND UPON the Defendants having filed and served a DR and EDQ on 20 March 2025, pursuant to the Tribunal's order of 10 January 2025.

AND UPON the Tribunal's order of 8 May 2025 following a CMC on 4 April 2025 (“**CMC2**”), in which

the Tribunal *inter alia*: (i) directed the Class Representative to serve a draft list of issues for disclosure (“**LOIFD**”) on the Defendants by 4pm on 29 April 2025; (ii) made provision for the Defendants to comment on the draft LOIFD and for the parties to seek to agree a finalised LOIFD; and (iii) directed the Defendants to file and serve (a) an updated DR identifying custodians, providing further detail in relation to a set of c.480,000 documents disclosed in Maximillian Klein & Ors, et al v Meta Platforms Inc. & Ors, and estimating disclosure costs and (b) an updated EDQ including the Defendants’ proposals as to date ranges, custodians and keyword searches (together, the “**Updated DR and EDQ**”).

AND UPON the Class Representative having served a draft LOIFD on the Defendants on 29 April 2025 and the parties having engaged therewith in accordance with the Tribunal’s order of 8 May 2025, and certain disputes having been crystallised in relation thereto.

AND UPON the Defendants having filed and served the Updated DR and EDQ on 20 June 2025, pursuant to the Tribunal’s order of 8 May 2025.

AND UPON the Class Representative having written to the Defendants on 8 July 2025 seeking clarifications about the Updated DR and EDQ (the “**Class Representative’s 8 July Letter**”).

AND UPON an issue having arisen at CMC3 in relation to the dates on which the Defendants: (i) first collected, used, processed and/or received “Off-Facebook Data” (as defined in the Class Representative’s Amended Claim Form and in the draft LOIFD); and (ii) first considered doing so.

AND UPON the parties having filed evidence and written submissions on the issues to be heard at CMC3.

AND UPON the Tribunal hearing oral submissions from Leading Counsel for the Class Representative and Leading Counsel for the Defendants.

IT IS ORDERED THAT:

The LOIFD

1. The LOIFD shall be filed and served in the form appended hereto.

The DR and EDQ

2. **By 4pm on 6 August 2025**, the Defendants shall:
 - (a) Serve a substantive response to the Class Representative’s 8 July Letter, answering all reasonable requests contained therein (and insofar as the Defendants consider a request

to be unreasonable and decline to answer it on that basis, that is to be identified in their substantive response and to be addressed at the next CMC (“**CMC4**”, discussed at paragraph 3 below));

- (b) File and serve a further updated version of the Updated DR and EDQ, reflecting the terms of the LOIFD appended hereto and the Defendants’ proposals in light thereof (the “**Further Updated DR and EDQ**”); and
- (c) File and serve a schedule addressing non-custodial disclosure, which can either form part of the Further Updated DR and EDQ or be a completely separate report.

Further CMC

- 3. CMC4 shall be listed in late September or early October 2025, on a date convenient to leading counsel for both parties and the Tribunal, to address disclosure. CMC4 shall have a time estimate of three days, with an additional day of pre-reading.

Disclosure

- 4. **By 4pm on 20 August 2025**, the Class Representative shall serve on the Defendants a draft “**Redfern Schedule**”, with the first column setting out what disclosure the Class Representative seeks over and above any agreements as to disclosure that are reached between the parties.
- 5. **By 4pm on 3 September 2025**, the Defendants shall serve on the Class Representative their response, which is to be set out in a second column to the Redfern Schedule, explaining the extent to which the Defendants agree or disagree with the Class Representative’s proposals, and the reasons for any disagreement.
- 6. **By 4pm on 10 September 2025**, the Class Representative shall serve on the Defendants her reply, which is to be set out in a third column to the Redfern Schedule, explaining the extent to which the Class Representative agrees or disagrees with the Defendants' responses, and the reasons for any disagreement.
- 7. **By 17 September 2025**, the parties’ solicitors shall meet with a view to resolving any items that remain in dispute after the completion by the Class Representative of the third column to the Redfern Schedule.
- 8. **By 4pm on 22 September 2025**, the Class Representative shall file with the Tribunal the Redfern Schedule, highlighting those issues that are still in dispute and which require resolution by the Tribunal.
- 9. Any outstanding issues between the parties and further directions for disclosure shall be

determined at CMC4.

The Class Representative's RFI

10. The Class Representative shall have liberty to file a request for information in the form appended hereto (the “**RFI**”).
11. The Defendants shall by **4pm on 8 August 2025** file and serve their response to the RFI. That response shall be verified by a statement of truth.

General

12. Costs in the case.
13. There be liberty to apply.
14. By agreement the parties may vary without further order any deadline in this 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.

Mr Hodge Malek KC
Chair of the Competition Appeal Tribunal

Made: 29 July 2025
Drawn: 29 July 2025