



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1739/5/7/25 (T)

BETWEEN:

MANOLETE PARTNERS PLC

Claimant

- v -

(1) – (27) THE DEFENDANTS (as set out in Appendix 1)

Defendants

REASONED ORDER

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

AND UPON the Claimant (“Manolete”) having 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 Claim

AND UPON Manolete 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 each Defendant having consented to the transfer of the Claim to the Tribunal but objecting to the Claim being determined as part of the Second Wave Trucks Proceedings (the “Second Wave”)

AND UPON the Claim having been transferred to the Tribunal by the Order of Master Clark dated 3 June 2025

AND UPON Manolete's application of 26 June 2025 for directions as to the future conduct of the Claim (the "Application")

AND UPON the Second Wave involving certain issues being tried on a common basis (the "Issues"), the Issues comprising those issues designated by the Tribunal as issues to be determined in the Second Wave and any other such issues as the Tribunal may order to be tried on a common basis

AND UPON the responses filed on 11 July 2025 objecting to the Application

AND UPON the DAF Defendants withdrawing their objections to the Application by letter from their solicitors dated 22 July 2024

AND UPON the Reply filed by Manolete on 24 July 2025

AND UPON the submissions filed by Manolete and the Defendants on 5 August 2025

AND UPON the letter filed with the Tribunal on 2 September 2025

IT IS ORDERED THAT:

1. The Application is refused.
2. Costs of the Application are awarded to the Dainler, Iveco, MAN, Volvo/Renault and Scania Defendants.
3. There be liberty to apply.

REASONS

1. I have considered the Application made by Manolete dated 26 June 2025 to join the Second Wave as a "stayed claimant" as described in [14(5)] of the Tribunal's Ruling on Future Conduct of Proceedings ([2024] CAT 2).

2. By way of background, Manolete is a specialist insolvency firm who is the assignee of a number of companies who have purchased and/or leased approximately 5000 trucks. The details of those companies are set out in Appendix 2 to this Reasoned Order.
3. In response to the Application, the Tribunal has received objections (the “Objections”) from a number of Defendants:
 - (1) on behalf of all Defendants by letter dated 11 July 2025;
 - (2) on behalf of the Daimler Defendants by submissions dated 5 August 2025;
 - (3) on behalf of Iveco, MAN, Scania and Volvo/Renault Defendants by submissions dated 5 August 2025;
 - (4) on again on behalf of the MAN Defendants by way of letter dated 2 September 2025.
4. In respect of DAF Defendants, by letter dated 22 July 2025, the DAF Defendants withdrew their Objection to the Application, as Manolete and the DAF Defendants are no longer in dispute with each other. Manolete and the DAF Defendants filed with the Tribunal a draft dismissal order on 24 July 2025 reflecting their settlement. This draft dismissal order remains to be considered by the Tribunal.
5. According to a letter dated 2 September 2025, the Tribunal was informed that the MAN Defendants and the Daimler Defendants have concluded settlements or settlements in principle with all Active Claimants in the Second Wave, providing a further reason why they submit the Application should be refused.
6. I do not rehearse the Objections but I have considered them and any affidavit evidence filed in support thereof.
7. Having considered both the Application and the Objections, and the fact of the settlements between Manolete and the DAF Defendants, as well as the settlements between MAN and Daimler with the Active Claimants in the Second Wave, I have determined to dismiss the Application for the following reasons:

- (1) As of 6 April 2023, Manolete could have sought to have the extant stay terminated in respect of the claims assigned to it but did not seek to do so until January 2025, and then as a precursor to its then ultimate Application. In reality, no real explanation has been given for that delay.
 - (2) In addition, and as the objection lodged on behalf of Iveco et al makes clear, Iveco's instructed solicitors wrote to Manolete to provide it with the opportunity of participating in the Second Wave on 2 August 2023. Manolete did not avail of that opportunity.
 - (3) In October 2023, the Tribunal in a case management conference pointed out that "if [claimants] do not apply to transfer then their cases are sitting at the back of the queue."
8. As far as I can assess from the affidavit evidence adduced in support of the Application, the only change in circumstance is that Manolete now want "prompt resolution" of its Claim, but, as nothing has changed since the timetable on future conduct of proceedings was set out by the Tribunal in January 2024, it is my view that Manolete will suffer no real prejudice if the Application is refused.
9. In the alternative, given the extent of the delay and the prejudice that is likely to be visited upon the Defendants, in terms of:
 - (1) the progress of the Second Wave generally and the settlements which have occurred to date;
 - (2) the evidential exchanges which have taken place between the Active Claimants and the Defendants and their respective experts upon key features of the case and the potential impact that involvement of the Claim may have had upon the expert analysis; and
 - (3) with specific reference to the Manolete claims, there appears to have been no opportunity to investigate any unique considerations which may arise by reason of their assignment to Manolete.

10. I am of the view that greater prejudice would be suffered by the Defendants in all the circumstances.
11. For all those reasons I dismiss the Application.

The Honourable Mr Justice Huddleston
Chair of the Competition Appeal Tribunal

Made: 12 September 2025
Drawn: 15 September 2025

APPENDIX 1

1. DAF Trucks Deutschland Gmbh
2. DAF Trucks Limited
3. DAF Trucks N.V.
4. PACCAR Financial PLC
5. PACCAR Inc
6. Leyland Trucks Limited
7. Iveco Limited
8. Iveco Magirus AG
9. Iveco S.P.A
10. CNH Industrial N.V.
11. Stellantis N.V. (formerly Fiat Chrysler Automobiles N.V.)
12. Traton SE (formerly Man SE)
13. MAN Truck & Bus Deutschland GMBH
14. Man Truck & Bus SE (formerly Man Truck & Bus AG)
15. Man Truck and Bus UK Limited
16. Mercedes-Benz Group AG (formerly DAIMLER AG)
17. Mercedes-Benz Cars UK Limited
18. Renault Truck Commercials Limited
19. Renault Trucks SAS
20. AB Volvo (publ)
21. Volvo Group Trucks Central Europe GmbH
22. Volvo Group UK Limited
23. Volvo Lastvagnar Aktiebolag
24. Scania (Great Britain) Limited
25. Scania Aktiebolag (Publ)
26. Scania CV Aktiebolag (Publ)
27. Scania Deutschland GmbH

APPENDIX 2

1. Comet Group Limited (now called CGL Realisations Limited)
2. City Link Limited
3. Leggett's Transport Limited
4. C. & H. (Hauliers) Limited
5. Autocarriers Limited
6. Ainsworth & Martin (Preston) Limited
7. Geoffrey F. Munford Limited
8. Funstons Limited
9. Gunns International Transport and Shipping Limited
10. Gunns Logistics Limited
11. P989 Limited
12. Direct U.K. Transport Limited
13. GMT Europe Limited
14. Heywood Logistics Limited
15. L & M Allen Limited
16. Border Traffic Service Limited
17. Elite Transport Services Limited
18. Stiller Transport Limited
19. C & M B Leasing Limited
20. Main Realisations Limited
21. Watkins & Sole (Transport) Limited
22. Watkins and Sole Limited