



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1339/7/7/20

BETWEEN:

MARK MCLAREN CLASS REPRESENTATIVE LIMITED

Class Representative

- v -

- (1) MOL (EUROPE AFRICA) LTD**
- (2) MITSUI O.S.K. LINES LIMITED**
- (3) NISSAN MOTOR CAR CARRIER CO. LTD**
- (4) KAWASAKI KISEN KAISHA LTD**
- (5) NIPPON YUSEN KABUSHIKI KAISHA**
- (6) WALLENIOUS WILHELMSSEN OCEAN AS**
- (7) EUKOR CAR CARRIERS INC**
- (8) WALLENIOUS LOGISTICS AB**
- (9) WILHELMSSEN SHIPS HOLDING MALTA LIMITED**
- (10) WALLENIOUS LINES AB**
- (11) WALLENIOUS WILHELMSSEN ASA**
- (12) COMPANIA SUD AMERICANA DE VAPORES S.A.**

Defendants

ORDER

UPON the collective settlement between the Class Representative and the Twelfth Defendant (“CSAV”) approved by the Tribunal by collective settlement approval order (“CSAO”) dated 6 December 2023

AND UPON the collective settlement between the Class Representative and the Sixth to Eleventh Defendants (“WWL/EUKOR”) approved by the Tribunal by CSAO dated 6 December 2024, pursuant to which WWL/EUKOR shall, subject to the terms of that collective

settlement, pay £500,000 by way of contribution to the Class Representative's costs of distributing any sums obtained to compensate the class in these proceedings (**"WWL/EUKOR Distribution Costs Contribution"**)

AND UPON the collective settlement between the Class Representative and the Fourth Defendant (**"K Line"**) approved by the Tribunal by a separate CSAO also dated 6 December 2024, pursuant to which, subject to the terms of that collective settlement, "K" Line shall pay £500,000 by way of contribution to the Class Representative's costs of distributing any sums obtained to compensate the class in these proceedings (**"K Line Distribution Costs Contribution"**) and, together with the WWL/EUKOR Distribution Costs Contribution, the **"Distribution Costs Contributions"**)

AND UPON the damages sums paid under the collective settlements with each of CSAV, WWL/EUKOR and "K" Line (collectively, the **"Damages Sums"**), together with the balance of other sums paid under those settlements, currently being held in escrow (the **"Escrow Sum"**)

AND UPON the collective settlement between the Class Representative and the First to Third and Fifth Defendants (the **"MN Defendants"**) dated 27 October 2025, for which approval is sought from the Tribunal pursuant to the joint application by the Class Representative and the MN Defendants filed on 25 November 2025

AND UPON the Class Representative's application dated 6 October 2025 pursuant to Rule 53(2)(n) of the Competition Appeal Tribunal Rules 2015 to use part of the Escrow Sum in respect the costs of preparing and seeking the Tribunal's approval for a distribution plan (the **"Distribution Plan Costs"**), in accordance with the budget enclosed with the application

AND UPON the Class Representative submitting a revised budget dated 30 October 2025 (the **"Revised Budget"**) for the Distribution Plan Costs in order to address certain concerns raised by the Tribunal in correspondence

AND UPON the Class Representative's funder, Woodsford Group Limited, providing an undertaking to the Tribunal that it will not seek a return on Distribution Plan Costs

IT IS ORDERED THAT:

1. Subject to paragraph 2, the Class Representative may use up to £425,000 (including VAT) of the Escrow Sum to pay Distribution Plan Costs in accordance with the Revised Budget.
2. To the extent the Escrow Sum is used to pay Distribution Plan Costs, such payment shall be deemed a temporary draw on the Damages Sums and such Distribution Plan Costs will be reimbursed from and ultimately borne out of the Distribution Costs Contributions and any further sums received by the Class Representative by way of contribution to the Class Representative's costs of distributing sums obtained to compensate the class in these proceedings.

3. There shall be no order as to costs.

Mr Hodge Malek KC

Chair of the Competition Appeal Tribunal

Made: 24 December 2025

Drawn: 24 December 2025