



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: 1378/5/7/20
1408/7/7/21
1673/7/7/24

BETWEEN:

(1) EPIC GAMES, INC
(2) EPIC GAMES ENTERTAINMENT INTERNATIONAL GMBH
(together, “Epic”)
Claimants

- and -

(1) ALPHABET INC
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LIMITED
(5) GOOGLE PAYMENT LIMITED
Defendants
(the “Epic Proceedings”)

AND BETWEEN:

ELIZABETH HELEN COLL
the “Coll” Class Representative

- and -

(1) ALPHABET INC
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LIMITED
(5) GOOGLE PAYMENT LIMITED
Defendants
(the “Coll Proceedings”)

AND BETWEEN:

PROFESSOR BARRY RODGER
the “Rodger” Class Representative

- and -

(1) ALPHABET INC

(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE ASIA PACIFIC PTE LIMITED
(5) GOOGLE COMMERCE LIMITED
(6) GOOGLE PAYMENT LIMITED
(7) GOOGLE UK LIMITED

Defendants
(the “Rodger Proceedings”)

ORDER

UPON paragraph 17 of the Order of the Tribunal of 27 August 2025 in the Epic Proceedings, the Coll Proceedings and the Rodger Proceedings (the “**Expert Directions Order**”) granting Epic liberty to apply for Mr Dudney and / or Mr Burelli to update their existing evidence

AND UPON the Ruling of the Tribunal of 24 September 2025 in the Epic Proceedings, ordering further disclosure by Google and Epic (the **Epic Disclosure Ruling**)

AND UPON the Ruling of the Tribunal of 25 September 2025 in the Rodger Proceedings, ordering further disclosure by Google (the **Rodger Disclosure Ruling**)

AND UPON reading Epic’s application dated 10 November 2025 to adduce and rely at trial on updated evidence from Mr Dudney and Mr Burelli

AND UPON reading Google’s letter of 14 November 2025, Epic’s letter of 19 November 2025 (**Epic’s 19 November 2025 Letter**), Google’s letter of 26 November 2025, Epic’s letter of 2 December 2025 and Google’s letter dated 3 December 2025.

IT IS ORDERED THAT:

1. Epic is permitted to adduce and rely at trial on evidence from Mr Dudney addressing only:
 - (a) updates to Mr Dudney’s existing analysis of the profitability of the Google Play Store, as set out in Dudney 1 and Dudney 2, necessitated by the filing by Google of the further evidence identified at paragraph 3 of Epic’s 19 November 2025 Letter; and

- (b) the profitability of the Google Play Store for FY2023, FY2024 and Q1 FY2025.
2. Epic is permitted to adduce and rely at trial on evidence from Mr Burelli addressing only:
- (a) the incidence of take-up of UCB since March 2025;
- (b) Google's rules affecting developers' ability to alter their pricing based on the payment solution used; and
- (c) Google's design and placement requirements under the alternative billing APIs.
3. Epic shall have liberty to apply for permission for Mr Dudney and / or Mr Burelli to update their evidence in light of relevant disclosure arising from the Epic Disclosure Ruling and / or the Rodger Disclosure Ruling.
4. The expert report of Mr Dudney shall be limited to 30 pages. The expert report of Mr Burelli shall be limited to 15 pages. These page limits exclude annexes (which shall be confined to supporting material and shall not contain substantive opinion).
5. In relation to the expert reports referred to in paragraphs 1 and 2 above, each expert shall ensure that their report does not duplicate their prior expert evidence.

Costs and liberty to apply

6. The costs of all updated expert reports served pursuant to this Order are reserved. In the event that the Tribunal considers any aspect of such reports to be duplicative or unnecessary, it will consider whether to order the relevant claimant to bear any costs thereby wasted.
7. There be liberty to apply.