



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: Case 1745/5/7/25 (T)

BETWEEN:

(1) ROADGET BUSINESS PTE. LTD.
(a company incorporated in Singapore)

(2) SHEIN DISTRIBUTION UK LIMITED

Claimants

- v -

WHALECO UK LIMITED

Defendant

ORDER

UPON the Order of Andrew Lykiardopoulos KC dated 8 October 2025 (the “**CMC4 Order**”) in respect of the directions and timetable for the liability trial in the competition counterclaim (“**the Counterclaim**”) (“**Trial 2**”)

AND UPON the Order of Andrew Lykiardopoulos KC dated 19 December 2025 (the “**CMC5 Order**”) in respect of the Counterclaim

AND UPON the parties agreeing to adjourn the trial in the IP claim (“**Trial 1**”) to a new trial window between 7 May 2026 and 22 May 2026 and the Court accommodating the same

AND UPON the parties agreeing a set of *pro tem* case management deadlines in view of the adjournment of Trial 1 pending directions from the Court

AND UPON the parties agreeing to adjourn Trial 2

AND UPON the parties agreeing the amendments to the directions for Trial 2 set out in the letter from Allen & Overy Shearman Sterling LLP to Freshfields LLP dated 6 January 2026

AND UPON hearing counsel for the Claimants and counsel for the Defendant at the joint one-day case management hearing in the IP claim and Counterclaim on Friday 9 January 2026 to settle case management directions to Trial 1 and Trial 2

IT IS ORDERED THAT:

Amendments to deadlines in the CMC5 Order

1. Paragraphs 1 and 4 of the CMC 5 Order shall be amended such that the time for complying with each of those paragraphs shall be 4pm on 9 February 2026.

Amendments to trial listing and deadlines in the CMC4 Order

2. Paragraph 11 of the CMC4 Order shall be amended as follows:

“Trial 2 shall be listed to commence on 3 March 2027 (with three days’ pre-reading commencing 26 February 2027), with a time estimate for trial of three weeks from 3 March (including sitting on Fridays and including three days for writing and reading closing submissions), as set out in Annex 2 to this Order.”

3. The parties shall keep the time estimate of three weeks for Trial 2 under review. If either or both parties consider that the time estimate is insufficient, they shall notify the Tribunal. If the Tribunal directs that any further sitting days are necessary, they shall be listed on a date after 24 March 2027.
4. Annex 1 to the CMC4 Order, containing the detailed directions and timetable to Trial 2, shall be amended as set out in Annex 1 to this Order.

5. Annex 2 to the CMC4 Order, containing the timetable for Trial 2, shall be amended as set out in Annex 2 to this Order. At the PTR, the parties may request an alternative use of the days provided for trial.

Costs

6. Costs in the Counterclaim.

Mrs Justice Bacon DBE

President of the Competition Appeal Tribunal

Made: 9 January 2026

Drawn: 12 January 2026

Annex 1 – AMENDED DIRECTIONS TO TRIAL 2

	Event	Deadline
Disclosure		
(I)	Service of Disclosure Certificate, Extended Disclosure List of Documents and Production of Documents in accordance with the Final DRD (subject to privilege claims / lost documents).	4:30pm, 9 February 2026
Proposed expert issues and further CMC		
(K)	Defendant to provide a first draft list of issues for expert evidence.	4:30pm, 26 February 2026
(L)	Claimants to provide initial comments on the draft list of issues for expert evidence.	4:30pm, 10 March 2026
(M)	Parties to seek to agree the lists of expert issues; failing which the parties have liberty to apply to the Tribunal. Parties to identify any additional experts based on the list of issues.	4:30pm, 26 March 2026
(N)	Further CMC to address any further applications or case management needs (1 day time estimate).	Early/Mid April 2026
Factual witness evidence		
(O)	Service of PD 57AC Trial Witness Statements and CPR 33.2 Hearsay Notices (if any).	5 June 2026
(P)	Service of Reply Trial Witness Statements and CPR 33.2 Hearsay Notices (if any).	31 July 2026
Expert evidence		
(Q)	Service of Expert Reports.	16 September 2026
(R)	Further CMC if required (parties to request from the Tribunal if needed)	First available date in October 2026
(S)	Service of Reply Expert Reports.	6 November 2026
(T)	Meeting of experts.	By 27 November 2026
(U)	Service of Joint Expert Statement (noting areas of agreement and disagreement).	18 December 2026
PTR and Trial		
(V)	Pre-Trial Review.	First available date in January

		2027
(W)	Trial 2 (estimated duration of three and a half weeks, including three days' pre-reading). See Annex 2.	Start of 3 March 2027, following three days of pre-reading

Annex 2 – AMENDED TIMETABLE FOR TRIAL 2

	Monday	Tuesday	Wednesday	Thursday	Friday
Week 1 (26 Feb 2027)					<i>Pre-reading</i>
Week 2 (1-5 March 2027)	<i>Pre-reading</i>		<i>Opening submissions</i>	<i>Opening submissions</i>	<i>Fact evidence</i>
Week 3 (8-12 March 2027)	<i>Fact evidence</i>	<i>Fact evidence</i>	<i>Fact evidence</i>	<i>Fact evidence</i>	<i>Expert evidence</i>
Week 4 (15-19 March 2027)	<i>Expert evidence</i>	<i>Expert evidence</i>	<i>Writing closings</i>	<i>Writing closings</i>	<i>Reading closings</i>
Week 5 (22-23 March 2027)	<i>Oral closings</i>	<i>Oral closings</i>			