



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1639/7/7/24

BETWEEN:

BULK MAIL CLAIM LIMITED

Class Representative

- v -

INTERNATIONAL DISTRIBUTION SERVICES PLC
(formerly ROYAL MAIL PLC)

Defendant

ORDER (DIRECTIONS)

UPON the Order of the Tribunal made on 6 March 2025 granting a Collective Proceedings Order in Case No. 1639/7/7/24 (the “**Proceedings**”);

AND UPON the Order of the Tribunal made on 6 March 2025 making case management directions in the Proceedings (the “**Post-CPO Directions Order**”);

AND UPON the Order of the Tribunal made on 8 October 2025 (the “**Order (Directions to Trial)**”)

AND UPON hearing leading and junior counsel at a case management conference in the Proceedings on 18 December 2025 (the “**CMC**”);

IT IS ORDERED THAT:

Amendment to deadlines in the Order (Directions to Trial)

1. The deadline in paragraph 8 of the Order (Directions to Trial) [re any further disclosure being sought] be extended from 19 February 2026 to 4pm on **30 April 2026**.

2. The deadline in paragraph 9 of the Order (Directions to Trial) [re completion of Redfern schedules] be extended from 27 February 2026 to 4pm on **8 May 2026**.
3. The deadline in paragraph 12 of the Order (Directions to Trial) [re latest date for production of disclosure and inspection of documents] be extended from 22 May 2026 to 4pm on **31 July 2026**.
4. The deadline in paragraph 17 of the Order (Directions to Trial) [re witness statements of fact] be extended from 24 July 2026 to 4pm on **2 October 2026**.
5. The deadline in paragraph 18 of the Order (Directions to Trial) [re reply witness statements of fact] be extended from 2 October 2026 to 4pm on **11 December 2026**.
6. By **27 February 2026**, the Class Representative (“CR”) shall write to the Tribunal to update it on the CR’s progress with respect to disclosure.

Industry evidence

7. The CR has liberty to make an application by **31 August 2026** for permission to adduce factual and/or expert evidence from a trade witness. That application shall specify the identity of the witness, the issues the witness will cover by reference to the pleadings, as well as the legal basis on which it is contended that the evidence is admissible as factual or expert evidence.

Survey evidence

8. In respect of the survey proposed to be carried out by the CR, the process shall be as follows:
 - (a) The CR shall prepare the survey methodology and draft survey questions in January 2026 and provide them to the Defendant for comment by **13 February 2026**.
 - (b) The Defendant shall provide any initial comments on the methodology and/or draft survey questions by **6 March 2026**. Thereafter a pilot survey will be conducted (and the results shared with the Defendant) in April 2026.
 - (c) The CR shall produce a detailed methodology for the survey and provide its final proposed survey questions to the Defendant by **22 May 2026**.

- (d) The Defendant shall provide any further comments on the proposed methodology or survey questions by **15 June 2026**.
- (e) The parties shall thereafter liaise regarding any issues arising out of such comment(s) in **June and July 2026** with a view to agreeing the methodology and survey questions. Insofar as the methodology and survey questions are then agreed, a copy of the agreed methodology and questions shall be filed with the Tribunal for final approval. Any dispute relating to the methodology or survey questions shall be determined by the Tribunal on the papers, unless either party seeks an oral hearing in which case the dispute will be determined by way of an oral hearing.

Expert evidence

- 9. By 4pm on **23 January 2026** the parties shall seek to agree an updated list of issues for expert evidence (filed pursuant to paragraph 24 of the Order (Directions to Trial)) reflecting the Tribunal's ruling at the CMC, and file the list (identifying any areas of disagreement) with the Tribunal.
- 10. The Defendant shall by **13 March 2026** set out in a letter the potential counterfactual commercial or competitive response(s) by the Defendant upon which it intends to rely at trial and any potential regulatory intervention by Ofcom in the counterfactual upon which it intends to rely at trial. By **7 September 2026**, the Defendant shall apply to amend its Defence to particularise the counterfactual scenario(s) relied upon.
- 11. The Defendant shall by **25 September 2026** identify to the CR and the Tribunal the other countries referred to in paragraphs 20(b) and 27 of the Joint Expert Report of Mr Hunt and Mr Grantham dated 5 December 2025.
- 12. The CR shall by **25 September 2026** identify to the Defendant and the Tribunal any potential market entrants (other than Whistl) on whose potential entry it intends to rely, and shall make any application to amend its Amended Claim Form to give particulars of those other potential market entrants.
- 13. Subject to any further order:
 - (a) By 4pm on **1 March 2027**, the Class Representative's experts shall file and serve their expert reports.

- (b) By 4pm on **1 July 2027**, the Defendant's experts shall file and serve their expert reports in response.
- (c) By 4pm **1 October 2027**, the Class Representative's experts shall file any reply expert report(s).
- (d) By **1 December 2027** the parties' experts shall meet on a without prejudice basis and in the absence of lawyers to discuss their respective reports and produce a joint statement setting out the areas of agreement and disagreement, and the basis for any disagreements.

Miscellaneous

- 14. The parties shall endeavour to agree wording to exclude mailing houses and mail consolidators from the Class Definition. By 4pm on **13 February 2026**, the parties shall file any proposed amendment to the Class Definition (identifying any areas of disagreement) with the Tribunal for the Tribunal's approval. Insofar as the parties' positions differ, each party shall set out its position in relation to its proposed wording by accompanying letter.
- 15. By 4pm on the earlier of seven working days prior to the next CMC or **31 August 2026**, the Defendant shall file and serve an updated costs budget in a similar form to that filed by the CR on 5 December 2025 pursuant to paragraph 28 of the Order (Directions to Trial).
- 16. The parties may agree to extend any time period or deadline in this Order for a period of up to 28 days total without further order, provided that such extension does not affect the date of the trial, the PTR, any listed CMC or any other hearing. The parties shall notify the Tribunal in writing in advance of the expiry of the relevant deadline of any such agreed extension.
- 17. The costs of the CMC be in the case.
- 18. There be liberty to apply.

Hodge Malek KC

Chair of the Competition Appeal Tribunal

Made: 26 January 2026

Drawn: 27 January 2026