



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: 1408/7/7/21
1673/7/7/24

B E T W E E N:

ELIZABETH HELEN COLL (“Ms Coll”)

- 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 (“Prof Rodger”)

- 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**”)

REASONED ORDER

UPON the Defendants’ disclosure of UK Google Play transaction data in the Coll Proceedings on 3 May 2023 (for the period 1 October 2015 to 6 December 2021) and 15 April 2024 (for the period 7 December 2021 to 31 January 2024) (the **Coll Transaction Data**)

AND UPON the application of Ms Coll dated 18 February 2026 (the **Updated Coll Transaction Data Application**) for the Defendants (**Google**) to disclose an update to the Coll Transaction Data for the period 1 February 2024 to 30 January 2026 (the **Refreshed Transaction Data**)

AND UPON Google's response to the Updated Coll Transaction Data Application by the Third Witness Statement of David Cran dated 6 March 2026

AND UPON Ms Coll's reply dated 13 March 2026 in relation to the Updated Coll Transaction Data Application, supported by the First Witness Statement of Dr Hal Singer dated 13 March 2026

AND UPON reading the further correspondence from the parties in relation to the Updated Coll Transaction Data Application dated 17, 18 and 19 March 2026 respectively

AND UPON Ms Coll's application dated 8 April 2026 for permission to update her expert evidence to take account of the Refreshed Transaction Data by way of addenda to the reports of Dr Hal Singer and Mr Derek Holt, should the Tribunal order the disclosure sought in the Updated Transaction Data Application (the **Expert Evidence Application**)

AND UPON Google's response to the Expert Evidence Application dated 15 April 2026

AND UPON the letter from Ms Coll's solicitors dated 16 April 2026 in relation to the Expert Evidence Application

AND UPON the joint hearing listed on 4–5 June 2026 (the **June Hearing**)

IT IS ORDERED THAT:

1. The Updated Coll Transaction Data Application is dismissed.
2. The Expert Evidence Application is dismissed.
3. The costs of the applications are reserved and shall be determined at the June Hearing.
4. Liberty to apply.

REASONS

1. Ms Coll has not provided any compelling reasons as to the necessity of the Refreshed Transaction Data at this stage of the proceedings, given that estimates as to quantum can be provided for the purpose of the trial. The transaction data sought go only to the quantification of damages and have no bearing on liability. It is common ground that, if Ms Coll were to succeed at trial, a refresh of the relevant transaction data would in any event be required post-trial for the purposes of calculating damages. In those circumstances, I am not satisfied that it is necessary or proportionate to require an interim refresh of Google's transaction data now.
2. Google indicated that providing the Refreshed Transaction Data would take a significant amount of time at considerable expense. I accept that requiring Google to undertake such an exercise at this stage would involve material cost and resource and would risk duplication of effort, given that the data would in any event need to be refreshed post-trial. It is not a sufficient answer to say that Google is a large and well-resourced undertaking. Applications of this nature are determined by reference to necessity and proportionality, not by the relative resources of the parties.
3. The timetable to the joint trial of the Coll and Rodger proceedings is already very compressed, as previously recognised by Ms Coll, with Joint Expert Reports due to be filed and served on 30 June 2026. There is insufficient time in the current timetable for updated expert reports to be provided, including any reports in response, and Ms Coll accepts that the Refreshed Transaction Data would not be available in time for her experts to update their analyses in advance of the joint expert process. I am not prepared to disrupt the agreed expert timetable, or the orderly conduct of the joint expert discussions, for material which is not necessary to the determination of liability at trial.
4. Nor am I persuaded by the submission that the existing Transaction Data are now materially misaligned with the Relevant Period. To the extent that this is so, it affects only the quantification of damages. The trial is not rendered unfair because damages estimates may later require updating. The points made by Ms Coll concerning public interest, communications with class members, or the possible facilitation of settlement likewise do not justify the cost and procedural disruption that would result from the grant of the present application.

5. In addition to seeking to update her expert evidence to take account of the Refreshed Transaction Data, Ms Coll also sought permission to make limited consequential amendments to Mr Holt's evidence to reflect the updated Google Play Store profitability results contained in the Fourt Expert Report of Mr Louis Dudney dated 17 December 2025. Mr Dudney's evidence was filed by Epic Games, Inc. which has since withdrawn the entirety of its claims. This proposed amendment represents a new point not previously canvassed, is unrelated to the Refreshed Transaction Data, and cannot properly be characterised as a purely consequential update. It would not be reasonably possible for such evidence to be accommodated in the timetable to trial, for the reasons given above, and no adequate explanation has been provided as to why this application is made at such a late stage of the proceedings. Had this material genuinely been required, the application should have been made considerably earlier.
6. For completeness, I note that the expert evidence itself supports the conclusion that updated data are not required at this stage. Dr Singer accepts that estimates or extrapolations could be prepared using the existing dataset, and that his analysis would in any event be updated post-trial if Ms Coll were successful. The same applies to Mr Holt's evidence, which depends on Dr Singer's analysis.
7. The costs in relation to the Updated Coll Transaction Data and Expert Evidence Applications are reserved to be considered at June Hearing.

The Honourable Mrs Justice Bacon
President of the Competition Appeal Tribunal

Made: 21 April 2026
Drawn: 21 April 2026