



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1745/5/7/25

BETWEEN:

**(1) ROADGET BUSINESS PTE. LTD. (A COMPANY INCORPORATED IN SINGAPORE)**

**(2) SHEIN DISTRIBUTION UK LIMITED**

Claimants/

Defendants to the Counterclaim

- v -

**WHALECO UK LIMITED**

Defendant/

Claimant to the Counterclaim

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**ORDER**

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**UPON** the Consent Order sealed on 29 October 2024 pursuant to which the Defendant gave security for the Claimants' costs in relation to the Competition Counterclaim in the first instance up to the date of the second Case Management Conference which was assumed to be listed in early April 2025, with liberty to apply;

**UPON** the order of Bacon J dated 29 July 2025 establishing a confidentiality ring ("**the Confidentiality Ring Order**");

**AND UPON** the Tribunal's Order dated 8 October 2025 requiring the parties to provide Extended Disclosure in accordance with the approved Disclosure Review Document (the "**DRD**") (the "**DRD Order**");

**AND UPON** the Tribunal's Order dated 6 November 2025 in respect of the Claimants' custodians for their Extended Disclosure under Model D;

**AND UPON** the reasoned Order of Mrs Justice Bacon dated 9 February 2026, refusing the Claimants' Stay Application and reserving the costs thereof to the case management conference listed for 23 April 2026 ("**CMC6**");

**AND UPON** the parties having provided Extended Disclosure on 9 February 2026;

**AND UPON** the Tribunal's directions for CMC6, which required the parties to file and serve any applications (and supporting evidence) by 4pm on 26 March 2026;

**AND UPON** the Defendant filing its applications to the Tribunal in relation to the Claimants' Extended Disclosure, supported by the third witness statement of Mr Gregg Nicholas Rowan (and exhibit GR3) in these proceedings (the "**Defendant's Disclosure Applications**");

**AND UPON** the Claimants' application dated 26 March 2026 seeking disclosure of documents relating to the effects of the competition law infringements alleged by the Defendant ("**the Claimants' Effects Disclosure Application**");

**AND UPON** the Claimants' application dated 26 March 2026 seeking various orders to remedy deficiencies in the Defendant's disclosure served on 9 February 2026 ("**the Claimants' Temu Disclosure Application**");

**AND UPON** the Claimants' application dated 26 March 2026 seeking an order that the Defendant comply with the DRD Order and/or provide further information in respect of the number and location of its suppliers ("**the Claimants' Supplier Numbers Application**");

**AND UPON** the Claimants' application dated 26 March 2026 seeking re-designation as outer confidentiality ring information certain information designated by the Defendant as inner confidentiality ring information ("**the Claimants' Re-Designation Application**");

**AND UPON** the Claimants' application dated 26 March 2026 seeking an order that the Defendant respond to its RFI dated 24 March 2026 (the "**RFI Application**");

**AND UPON** the Claimants' application dated 26 March 2026 for additional security for costs (the "**SFC Application**");

**AND UPON** the parties’ application for permission to adduce expert evidence in the fields of economics, the fashion supply market and the UK retail market (“**the Expert Evidence Application**”); and

**AND UPON** hearing Leading Counsel for the Defendant and Leading Counsel for the Claimants at CMC6;

**IT IS ORDERED THAT:**

**DEFENDANT’S INTERNAL INVESTIGATIONS CUSTODIANS AND SENIOR MANAGEMENT DISCLOSURE APPLICATIONS**

1. The Claimants shall conduct the Model D search terms specified in respect of Issue 31 of the DRD to documents and data held by the seven custodians from its Internal Investigations team (as identified in the Claimants’ Disclosure Certificate dated 9 February 2026) over the period 1 June 2023 to 1 June 2024 and disclose any relevant documents responsive to those searches.
2. The Claimants shall apply the Model D search terms specified in respect of Issue 31 of the DRD to documents and data held by (i) Mr Bingbing (Hunter) Zhu and (ii) Mr Yanfeng Liu over the period 1 June 2023 to 1 June 2024 and disclose any documents responsive to those searches.
3. The timescale for the steps set out at paragraphs 1–2 above shall be as follows:
  - (a) The Claimants shall by 4.30pm on 7 May 2026 notify the Defendant of the number of “hits” returned in response to the searches specified in paragraphs 1 and 2, above.
  - (b) By 4.30pm on 8 May 2026 the parties shall agree:
    - (i) the order in which the documents returned in respect of each custodian shall be reviewed and disclosed by the Claimants; and
    - (ii) the deadlines for disclosure of responsive documents, including for any tranches of disclosure to be provided.

- (c) The Claimants shall provide an initial tranche of disclosure by no later than 4.30pm on 22 May 2026.
- (d) In any event, all disclosure responsive to the searches specified shall be provided by no later than 4.30pm on 19 June 2026.

#### **DEFENDANT'S SUPPLIER INTERVIEW ATTENDEES APPLICATION**

- 4. The Claimants shall by 4.30pm on 12 May 2026 provide the names and job titles of all Shein individuals in attendance at each of the interviews between Shein employees and Relevant Suppliers (defined as the suppliers referred to in paragraphs 47A–C of the Defendant's Re-Re-Re-Re-Amended Defence and Counterclaim) in November and December 2023.

#### **DEFENDANT'S MARKET DOCUMENTS APPLICATION**

- 5. The Claimants shall by 4.30pm on 12 May 2026 provide a response to the questions asked by Herbert Smith Freehills Kramer LLP in Annex I to its letter dated 20 April 2026, to the extent the information is reasonably ascertainable.

#### **CLAIMANTS' EFFECTS DISCLOSURE APPLICATION**

- 6. By 4.30pm on 12 May 2026 the Defendant shall disclose and provide for inspection to the Claimants, in respect of each of the fashion products which were subject to takedown notices served by the Claimants as identified in the Defendant's disclosure document HSFK0000595, and for the period between 1 April 2023 and 31 December 2025:
  - (a) Weekly sales data for the affected product.
  - (b) Equivalent sales data for the category and sub-category of the affected product.
  - (c) The names of the said category and sub-category.

7. By 4.30pm on 12 May 2026 the Defendant shall disclose and provide for inspection to the Claimants the aggregate sales data in document HSFK0000594 at a monthly level.
8. By 4.30pm on 12 May 2026 the Defendant shall disclose and provide for inspection internal documents assessing the effects of the Claimants' alleged anti-competitive behaviour, as identified through the Model C searches described in the Defendant's second letter of 17 April 2026.

## **CLAIMANTS' TEMU DISCLOSURE APPLICATION**

### **WeChat messages**

9. By 4.30pm on 30 April 2026 the Defendant shall, in respect of each of the WeChat messages at HSFK0000504–0580:
  - (a) Identify the legal name, Temu store name and Temu store ID of the relevant supplier.
  - (b) Confirm whether the supplier is a 'Relevant Supplier' within the meaning of the DRD (and, if so, which one).
10. By 4.30pm on 15 May 2026 the Defendant shall, in respect of each of the WeChat messages at HSFK0000504–0580 disclose and provide for inspection the full conversation thread for the day on which the message(s) already disclosed were sent.

### **Overlapping supplier disclosure**

11. The Defendant shall provide disclosure in respect of the Overlapping Suppliers as follows:
  - (a) By 4.30pm on 30 April 2026 the Defendant shall identify to the Claimants the Overlapping Suppliers that have been identified by the Defendant by that date.
  - (b) By 4.30pm on 12 May 2026 the Defendant shall provide an updated list of Overlapping Suppliers that have been identified by the Defendant by that date.

- (c) By 4.30pm on 29 May 2026 the Defendant shall provide:
- (i) the final list of Overlapping Suppliers that the Defendant has identified;  
and
  - (ii) monthly sales data for each of the identified Overlapping Suppliers for the Relevant Period.

**Witness statement relating to Whaleco's disclosure**

12. By 4.30pm on 30 April 2026 the Defendant shall serve a witness statement explaining how the WeChat messages disclosed by the Defendant were searched for and identified (including, for the avoidance of doubt, the requests made of the relevant employees), including how many WeChat accounts and conversations were searched and the basis on which they were selected; whether any messages were withheld for irrelevance (and if so on what basis); and confirming whether and how any known adverse documents have been disclosed.

**CLAIMANTS' SUPPLIER NUMBERS APPLICATION**

13. The Defendant shall file and serve its case in relation to market definition by 4.30pm on 8 May 2026.
14. The Claimants shall file and serve a responsive statement of case in relation to market definition by 4.30pm on 22 May 2026.
15. By 29 May 2026 the parties' expert economists shall meet to discuss and determine whether any additional data are required by them from either or both parties for the purposes of market definition and effects/foreclosure analysis in respect of (i) supplier numbers and (ii) geographic location of suppliers.
16. The parties shall set out the position reached by the experts to the Tribunal by 4.30pm on 8 June 2026. Any requests for additional data by the experts shall be determined by the Tribunal on the papers if at all possible.

## **CLAIMANTS' RE-DESIGNATION APPLICATION**

17. The following information shall be re-designated as Outer Confidentiality Ring Information for the purpose of the Confidentiality Ring Order:
  - (a) Columns B, C and D of HSFK0000596.
  - (b) All of the merchant-identifying information (in particular, the store names and store IDs) in the WeChat messages at HSFK0000495 and HSFK0000504-0580.
18. The Defendant shall provide re-designated versions of the documents listed at paragraph 16 above by 4.30pm on 30 April 2026.

## **CLAIMANTS' RFI APPLICATION**

19. The Defendant shall by 4.30pm on 30 April 2026 respond in full to the Claimants' RFI.

## **CLAIMANTS' SFC APPLICATION**

20. The Defendant shall give additional security for the Claimants' costs in relation to the Competition Counterclaim for the period from 1 April 2025 to 18 December 2026, the latter being the date on which Service of Joint Expert Statement (noting areas of agreement and disagreement) is due in the Competition Counterclaim, in the amount of £4,600,000 (the "**Security Amount**").
21. The Defendant shall provide the Security Amount in two tranches: (i) tranche one of £2,300,000 to be paid into the Court Funds Office by 7 May 2026; and (ii) tranche two of £2,300,000 to be paid into the Court Funds Office by 31 July 2026.

## **EXPERT EVIDENCE APPLICATION**

22. The parties have permission to rely upon the evidence of one expert each, in each of the following fields:
  - (a) economics;

- (b) fashion supply market; and
  - (c) UK retail market.
23. By 1 May 2026 the parties shall identify their respective expert economists, and shall provide the information required by paragraph 8 of the Tribunal’s Practice Direction 3/2025.
24. The parties’ respective economic experts shall consider and discuss the list of issues for expert economic evidence at the meeting to be scheduled pursuant to paragraph 14.
25. By 29 May 2026 the parties shall identify their respective experts in the fields of the fashion supply market and the UK retail market, and shall provide the information required by paragraph 8 of the Tribunal’s Practice Direction 3/2025.
26. By 30 June 2026 the parties shall file a list of proposed expert issues for the expert reports. The list of expert issues shall:
- (a) contain cross-references to the parties’ pleadings;
  - (b) be specified as narrowly as possible without any overlap between the identified experts and/or fields of expertise;
  - (c) specify any areas of outstanding dispute; and
  - (d) specify proposed page lengths for the expert reports.

## **COSTS**

27. The issue of costs is reserved. The parties are to seek to agree costs occasioned by CMC6 and in default of agreement either party may apply to the Tribunal for a determination of costs on the basis of written submissions.

**LIBERTY TO APPLY**

28. The parties shall have liberty to apply.

**The Honourable Mrs Justice Bacon**  
President of the Competition Appeal Tribunal

Made: 27 April 2026  
Drawn: 27 April 2026