



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1440/7/7/22

BETWEEN:

CLARE MARY JOAN SPOTTISWOODE CBE

Class Representative/Applicant

- v -

(1) NEXANS FRANCE SAS

(a company incorporated under the laws of France)

(2) NEXANS SA

(a company incorporated under the laws of France)

(3) NKT A/S (FORMERLY NKT HOLDING A/S)

(a company incorporated under the laws of Denmark)

(4) NKT VERWALTUNGS GMBH (FORMERLY NKT CABLES GMBH)

(a company incorporated under the laws of Germany)

(5) PRYSMIAN CAVI E SISTEMI SRL

(a company incorporated under the laws of Italy)

(6) PRYSMIAN SPA

(a company incorporated under the laws of Italy)

Defendants

- and -

THE SECRETARY OF STATE FOR ENERGY SECURITY AND NET ZERO

Third Party/Respondent

ORDER (THIRD-PARTY DISCLOSURE)

UPON reading the application by the Class Representative, pursuant to Rules 53(2)(1) and 63 of the Competition Appeal Tribunal Rules 2015, for disclosure and production of documents by the Respondent third party (the **Application**)

AND UPON the other parties to these proceedings not opposing the Application

AND UPON the Respondent not opposing the Application

AND UPON the Confidentiality Ring Order made in these proceedings on 22 May 2024 (the **Spottiswoode CRO**)

IT IS ORDERED THAT:

1. Within 6 weeks of the date of this Order, the Respondent shall provide to the Class Representative disclosure and inspection of the set of documents identified in Scott+Scott's letter of 30 January 2026 as amended on 1 May 2026, save for the documents identified at paragraph 4.1(10) which shall be provided to the Class Representative within 8 weeks of the date of this Order.
2. When making such disclosure, the Respondent shall specify any of those documents:
 - (a) which are no longer in his control; and
 - (b) in respect of which he claims a right or duty to withhold inspection.
3. The documents so provided shall, unless otherwise indicated by the Respondent, be treated as Outer Confidentiality Ring Information pursuant to the Spottiswoode CRO.
4. If a party receiving a document in accordance with this Order considers that it needs to be shown to any person who is not an Inner Confidentiality Ring Member or an Outer Confidentiality Ring Member, for the purposes of these proceedings:
 - (a) that party must provide a written request to the Respondent, setting out the following:
 - the document in question;
 - the person or persons to whom it is proposed that the document should be shown; and
 - why it is reasonable to show the document to that person or those persons;
 - (b) the Respondent may agree in writing that the document may be shown to the additional person or persons concerned, and, in any event, a response should

be provided within 10 working days of having initially received the written notice referred to at paragraph 4(a) above; and

(c) should either an objection or no response be received within the 10 working-day period referred to in paragraph 4(b) above, the party who considers that the document should be shown to the further person or persons concerned may apply to the Tribunal for an order to that effect, provided that notice is given of that application to the Respondent.

5. A party receiving a document in accordance with this Order in these proceedings may request the amendment of the designation of the document (including amendment to a designation of not confidential) as follows:

(a) the requesting party must provide a written request to the Respondent (copied to the other parties) specifying the following:

- the relevant document concerned;
- the designation the requesting party believes is appropriate; and
- why it is reasonable and necessary for the designation to be amended.

(b) The Respondent may consent in writing to amend the designation of the document and, in any event, a response should be provided within 10 working days of having initially received the written notice referred to at paragraph 5(a) above.

(c) Should either an objection or no response be received within the 10 working day period referred to in paragraph 5(b) above, the requesting party may apply to the Tribunal for an order that the document should be designated as either: (i) Inner Confidentiality Ring Information; (ii) Outer Confidentiality Ring Information; or (iii) not confidential (as the requesting party deems appropriate), provided that prior written notice is given of that application to the other parties and the Respondent.

6. Forthwith following receipt, the Class Representative shall supply copies of the said documents to the solicitors for the other parties to these proceedings.

7. The Class Representative shall pay the Respondent's costs of and occasioned by this Application and of compliance with this Order, to be assessed if not agreed, and

without prejudice to the possibility of the Class Representative recovering those costs from another party or parties in the proceedings.

8. The Respondent may apply to set aside or vary this order no later than seven days after it is served on the Respondent. Any such application must be served on the other parties and filed at the Tribunal.

The Honourable Mr Justice Richards
Chair of the Competition Appeal Tribunal

Made: 8 May 2026
Drawn: 8 May 2026