



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 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

REASONED ORDER

UPON the case management conference held on 23 April 2026 (**CMC6**)

AND UPON the Order of the Tribunal made on 27 April 2026 (the **CMC6 Order**)

AND UPON the Claimants' application for additional security for costs dated 26 March 2026 (the **SFC Application**), and the parties agreeing to the terms of paragraphs 20 and 21 of the CMC Order

AND UPON the statements of the Defendant dated 8 May 2026 and the Claimants dated 22 May 2026 filed further to paragraphs 13 and 14 of the CMC6 Order (the **Market Definition Statements**)

AND UPON the parties agreeing the costs of and occasioned by CMC6 save for those in respect of the SFC Application and the Market Definition Statements

AND UPON reading the submissions and enclosures filed by the Claimants on 5 June 2026 and the Defendant on 12 June 2026 in relation to the costs of and occasioned by the SFC Application and the Market Definition Statements

AND UPON the parties' expert economists requesting additional data from both parties at their meeting held further to paragraph 15 of the CMC6 Order (the **Expert Data Requests**)

AND UPON the parties setting out the position in respect of the Expert Data Requests further to paragraph 16 of the CMC6 Order by way of letters to the Tribunal dated 8 June 2026

AND UPON the Tribunal directing the parties to seek to agree the Expert Data Requests and failing that to set out their positions in respect of same to the Tribunal by 12 June 2026

AND UPON reading the submissions and enclosures filed by the parties on 12 June 2026 in relation to the Expert Data Requests

AND UPON reading the letter filed on behalf of the Defendant on 16 June 2026

IT IS ORDERED THAT:

Costs of CMC6

1. The Defendant shall pay 50% of the Claimants' costs of and occasioned by the SFC Application, summarily assessed in the sum of £25,028.68 by no later than 14 days from the date of this Order.
2. The Defendant shall pay the Claimants' costs of and occasioned by the Market Definition Statements, summarily assessed in the sum of £17,242.28 by no later than 14 days from the date of this Order.

Expert Data Requests

3. By 4pm on 7 July 2026:
 - (a) Both the Claimants and Defendant shall disclose the number of their fashion suppliers on their platforms globally and separately, on their UK platforms specifically as at:

- (i) 31 December 2023;
 - (ii) 31 December 2024; and
 - (iii) 31 December 2025.
- (b) For each of the snapshots referred to in paragraph 3(a), the Claimants and Defendant should provide a breakdown of the figures by:
- (i) the number of suppliers of fashion products sold in each country; and
 - (ii) for suppliers based in China, the top 10 Chinese provinces by number of suppliers, along with an aggregated figure for the rest of China.
- (c) The Claimants and Defendant should provide:
- (i) for each of the top 10 Chinese provinces by number of suppliers, the gross merchandise value for the fashion products sold by Claimants and Defendant in the UK and globally (minus the UK) which were provided/sold by suppliers based in that province; and
 - (ii) for the remaining Chinese provinces, the aggregated gross merchandise value for the fashion products sold by Claimants and Defendant in the UK and globally (minus the UK) which were provided/sold by suppliers based in the remaining Chinese provinces.
- (d) The figures provided pursuant to paragraphs 3(a), (b) and (c) should:
- (i) Insofar as the data is readily available, include the manufacturing entities (wheresoever based) where relevant suppliers did not manufacture the fashion products; and
 - (ii) Include data from “local-tagged” UK suppliers (being, UK-based suppliers selling products to UK consumers) but exclude data from

“local-tagged” suppliers outside the UK that were not permitted to sell on Temu’s UK platform during the period covered by paragraph 3(a).

REASONS

1. The SFC Application was in part necessitated by the Defendant’s refusal to engage, and the Claimants were largely successful in it. They should be entitled to 50% of their costs, summarily assessed on the standard basis. The costs claimed are, however, disproportionate. I consider the reasonable and proportionate costs to be 60% of the amount claimed.
2. The need for the Market Definition Statements arose because of the way in which the Defendant advanced a materially new case that was not previously pleaded. In substance, therefore, the Statements are to be treated as pleading amendments, such that the Claimants should be entitled their costs occasioned by them. Again, however, the costs claimed are disproportionate. I consider the reasonable and proportionate costs to be 50% of the total claimed.
3. In respect of GMV data, the issues in dispute require the experts to have access to some measure of supplier size. A simple count of suppliers may well not provide meaningful data for that purpose. Revenue data are likely to provide a more meaningful picture of whether, as alleged by the Defendant, suppliers are indeed concentrated in a particular area of China.
4. In view of the Defendant’s confirmation that no local-tagged suppliers in jurisdictions other than the UK were able to sell on its UK platform during the periods covered by the pleadings and disclosure, the data from non-UK local-tagged suppliers appears to be irrelevant to the expert economists’ assessment.
5. Finally, as to the location of manufacturers, it is appropriate for this information to be provided where readily available to the parties. That does not require the parties to seek out further information that they do not already have available to them.

The Honourable Mrs Justice Bacon
President of the Competition Appeal Tribunal

Made: 18 June 2026
Drawn: 18 June 2026