



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

Case No: 1482/5/7/22 (T)

**BETWEEN:**

**(1) FORTNUM & MASON PLC**

**(2) HEAL & SON LTD**

**(3) HEAL'S (1810) LIMITED**

**Claimants**

- v -

**(1) VISA INC**

**(2) VISA INTERNATIONAL SERVICE ASSOCIATION**

**(3) VISA EUROPE LIMITED**

**(4) VISA EUROPE SERVICES LLC (formerly known as Visa Europe Services  
Incorporated)**

**(5) VISA UK LIMITED**

**Defendants**

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**CONSENT ORDER**

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**UPON** the transfer of the Proceedings (filed at the High Court under Claim No. HC13E05457 and subsequently BL-2013-000007) from the High Court of Justice to the Competition Appeal Tribunal (the “**Tribunal**”) pursuant to an Order of the Chancellor of the High Court dated 7 April 2022

**AND UPON** the joint application of the Second and Third Claimants and the Defendants

**AND UPON** a confidential settlement having been agreed between the Second and Third Claimants and the Defendants and those parties having agreed to make an application to dismiss the Second and Third Claimants’ claims against the Defendants in the Proceedings

**AND UPON** the parties to this Order recognising the guidance of the Tribunal in its Ruling on Umbrella Proceedings Cost Sharing Orders, [2024] CAT 12:

(1) The effect of the settlement is that the Claimant ceases to be a party to those proceedings. To the extent that the Tribunal has any costs jurisdiction over the settling Claimant (as to which this order says nothing), a costs order against the Claimant in favour of the Defendants may not be a just exercise of the Tribunal's costs discretion.

(2) Whilst the Defendants would be entitled, as appropriate, to seek costs orders against those claimants who have not settled ("**Non-Settling Claimants**"), the Tribunal will be reluctant to order such Non-Settling Claimants to pay costs that are attributable to the settling Claimant.

(3) The Tribunal may, accordingly, reduce the costs recoverable by the Defendants against the Non-Settling Claimants by an amount referable to the costs that would (but for the settlement) have been paid by the Claimant.

**BY CONSENT IT IS ORDERED THAT:**

1. The Second and Third Claimants' claims be and are hereby withdrawn.
2. There shall be no order as to costs.

**Mr Ben Tidswell**

Chair of the Competition Appeal Tribunal

Made: 3 September 2026

Drawn: 3 September 2026