



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1507/5/7/22 (T)

BETWEEN:

(1) OCADO HOLDINGS LIMITED

Claimant

- v -

(1) MASTERCARD INCORPORATED

(2) MASTERCARD INTERNATIONAL INCORPORATED

(3) MASTERCARD EUROPE S.A. VISA EUROPE LIMITED

Defendants

CONSENT ORDER

UPON the joint application of the Claimant and the Defendants

AND UPON a confidential settlement having been agreed between the Claimant and the Defendants, copies of which shall be retained by the parties' legal representatives, and those parties having agreed to make an application to withdraw the Claimant's claims in these Proceedings

AND UPON the transfer of the Proceedings (filed at the High Court under HC-2014-001844) from the High Court of Justice to the Competition Appeal Tribunal pursuant to an Order of the Chancellor of the High Court dated 7 April 2022 (the "**Order**")

AND HAVING REGARD TO the letter from Mishcon de Reya LLP to the Competition Appeal Tribunal dated 17 May 2024 in respect of the Order

AND HAVING REGARD TO rule 44(1)(a) of the Competition Appeal Tribunal Rules 2015

AND UPON the parties to this Order recognising that the guidance of the Tribunal in the Tribunal's 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 the 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 Defendant may not be a just exercise of the Tribunal costs discretion.

(2) Whilst the Defendant 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 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 The entirety of the Claimant’s claims in these Proceedings against the Defendants are hereby withdrawn.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