



IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1601/7/7/23

B E T W E E N:

DR SEAN ENNIS

Class Representative

– and –

- (1) APPLE INC.**
- (2) APPLE DISTRIBUTION INTERNATIONAL LIMITED**
- (3) APPLE CANADA INC.**
- (4) APPLE PTY LIMITED**
- (5) APPLE SERVICES LATAM LLC**
- (6) ITUNES K.K.**
- (7) APPLE (UK) LIMITED**
- (8) APPLE EUROPE LIMITED**

Defendants

ORDER

UPON the Class Representative’s application dated 2 July 2026 for directions under rule 53(1) of the Competition Appeal Tribunal Rules 2015 (the “**Application**”)

AND UPON the Tribunal’s interim order dated 3 July 2026 (the “**Interim Order**”)

AND UPON hearing Daniel Hubbard for the Class Representative and Daniel Piccinin KC for the Defendants at a hearing on 27 July 2026

AND UPON the Tribunal handing down its judgment on 8 September 2026 (the “**Judgment**”)

IT IS ORDERED THAT:

1. Subject to paragraph 2 the Interim Order is revoked.

2. The Class Representative has liberty to apply to the Tribunal, if so advised, by 4 pm on 22 September 2026, for a stay of this Order (the “**Stay Application**”) pending determination of any request by the Class Representative for permission to appeal this Order. Paragraph 1 is stayed pending determination of the Stay Application or, if no Stay Application is made, until 4pm on 22 September 2026.
3. Should the Defendants send any communication to a class member seeking the voluntary disclosure of documents or information (a “**Disclosure Communication**”):
 - 3.1. The initial Disclosure Communication to a class member shall be in writing;
 - 3.2. The Defendants shall make reasonable endeavours to identify whether the class member has an in-house legal department and, if so, shall direct the Disclosure Communication to that legal department; and where, to the Defendants’ knowledge, the class member has instructed external lawyers in connection with its claim or these proceedings, the Disclosure Communication shall be directed to those lawyers;
 - 3.3. The class member shall be given a reasonable time (which shall be not less than 28 days) to respond to the Disclosure Communication; and
 - 3.4. The Disclosure Communication shall include:
 - (a) A link (which where practicable shall be a hyperlink) to the Tribunal’s webpage for these proceedings;
 - (b) A copy of, or (which where practicable shall be a hyperlink) a link to, the Judgment, and shall specifically draw the class member’s attention to paragraph 80 of the Judgment;
 - (c) The name and contact details of the Class Representative’s legal representatives (but, for the avoidance of doubt, the class member may not discuss the contents of any confidential and/or legally privileged Disclosure Communication with the Class Representative or the Class Representative’s legal representatives);

- (d) A statement that the class member is under no obligation to undertake any searches or to make any disclosure in response to the requests in the Disclosure Communication, unless the Tribunal makes an order to that effect;
 - (e) A statement that the Tribunal has made no such order referred to at 3.4 (d);
 - (f) A statement that the class member is entitled to insist that the Defendants obtain a disclosure order from the Tribunal, and that the class member will have an opportunity to resist any application which the Defendants may make for such an order;
 - (g) A statement that the class member is entitled to take its own legal advice before responding to the Disclosure Communication; and
 - (h) A statement that a decision by the class member not to provide disclosure will not affect the class member's commercial relationship with the Defendants.
4. If the Defendants make any application to the Tribunal for an order for disclosure by a class member (including under rule 89(1)(c) of the Competition Appeal Tribunal Rules 2015), that application shall be served on the Class Representative, and the Class Representative shall be joined as an interested party to the application.
5. Save as set out above, the Application is dismissed.
6. Any application in respect of the costs of the Application is to be filed by 22 September 2026, any responsive submissions are to be filed by 29 September 2026, and any reply submissions are to be filed by 6 October 2026, each limited to four pages.
7. There be liberty to apply.

James Wolffe KC

Tim Frazer

Professor Anthony Neuberger

Made: 8 September 2026

Drawn: 8 September 2026