



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1731/7/7/25

BETWEEN:

ALEXANDER WOLFSON

Proposed Class Representative

- v -

(1) MICROSOFT CORPORATION
(2) MICROSOFT LIMITED
(3) MICROSOFT IRELAND OPERATIONS LIMITED

Proposed Defendants

ORDER (CMC-1)

UPON the Proposed Class Representative (**PCR**) filing an application for a Collective Proceedings Order pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 on 12 May 2025 (the **CPO Application**)

AND UPON the Tribunal listing a case management conference on 15 September 2026 with a time estimate of half a day (**CMC-1**)

AND UPON the Proposed Defendants' application dated 15 September 2025 for a stay of the proceedings (the **Stay Application**)

AND UPON the Proposed Defendants' application dated 6 October 2025 challenging the Tribunal's jurisdiction based on exclusive jurisdiction clauses (the **Contractual Jurisdiction Challenge**) supported by an expert statement on Irish law by Mr Brian Kennedy SC dated 6 October 2025 (the **Expert Statement**)

AND UPON the Tribunal having heard Leading Counsel for the PCR and Leading Counsel for the Proposed Defendants at CMC-1

IT IS ORDERED THAT:

STAY

1. The Stay Application is dismissed.

CONTRACTUAL JURISDICTION CHALLENGE

2. By 4:00pm on 13 October 2026, the Proposed Class Representative shall file and serve his response to the Contractual Jurisdiction Challenge.
3. By 4:00pm on 3 November 2026, the Proposed Defendants shall file and serve a reply to the Proposed Class Representative's response to the Contractual Jurisdiction Challenge.
4. Pending a further application the Parties do not have permission to rely on expert evidence of foreign law in relation to the Contractual Jurisdiction Challenge.
5. The Parties shall agree and file with the Tribunal a document (the **Foreign Law Summary**) which (i) identifies the foreign law(s) to which the Parties submit the Tribunal should have regard when determining the Contractual Jurisdiction Challenge; (ii) identifies for each such foreign law the legal principles relevant to the determination of the Contractual Jurisdiction Challenge; and (iii) for each such principle, specifies whether the principle is agreed by the Parties and if not agreed, sets out the competing positions advanced by each Party.
6. The timetable for producing and filing the Foreign Law Summary shall be as follows:
 - (a) By 4:00pm on 13 October 2026 the PCR shall produce and serve on the Proposed Defendants the first draft of the Foreign Law Summary. The first draft shall take account of Brian Kennedy SC's Expert Statement filed on behalf of the Proposed Defendants and shall seek to identify the principles of law stated therein with which the PCR agrees and any principles with which he disagrees.
 - (b) By 4:00pm on 3 November 2026 the Proposed Defendants shall produce and serve on the PCR the second draft of the Foreign Law Summary, in which the Proposed Defendants will confirm which points are agreed and which are disagreed and why, and add any additional points.
 - (c) By 4:00pm on 10 November 2026 the Parties shall agree and the PCR shall file the Foreign Law Summary, which shall reflect any further points of agreement between the Parties following the production of the second draft.
7. After the Foreign Law Summary has been filed the Parties (either individually or jointly) may, by 4:00pm on 13 November 2026, apply for permission to adduce expert evidence on any principles of foreign law on which the Parties disagree on the basis

that any such evidence for which permission is given shall be filed and served by 4.00pm on 4 December 2026.

8. The hearing of the Contractual Jurisdiction Challenge shall be listed for one day with one day in reserve in January 2027.

CPO HEARING

9. The hearing of the CPO Application be provisionally listed for a date in July 2027 with a time estimate of two days. The Parties have liberty to invite the Tribunal to revisit that listing at the hearing of the Contractual Jurisdiction Challenge or following its determination.

LIBERTY TO APPLY

10. There be liberty to apply.

COSTS

11. Costs reserved.

Justin Turner KC

Chair of the Competition Appeal Tribunal

Made: 22 September 2026

Drawn: 22 September 2026