HIGH COURT OF JUSTICE
09 Oct 2026
THE BUSINESS AND PROPERTY COURTS OF ENGLAND & WALES
CL-2026-000272

**IN THE HIGH COURT OF JUSTICE**
**BUSINESS AND PROPERTY DIVISION**
**COMMERCIAL COURT**

**Claim Nos. CL-2026-000272**
**CL-2026-000297**
**CL-2026-000336**
**CL-2026-000385**

**BEFORE: Mrs Justice Dias**
**DATED: 8 October 2026**

**BETWEEN**

**AXIOM MEDIA HOTEL LIMITED**
**and the Claimants listed at Schedule 1 in**
**CL-2026-000272**

**COSTCO FRANCE**
**and the Claimants listed at Schedule 1 in**
**CL-2026-000297**

**HERBALIFE (U.K.) LIMITED**
**and the Claimants listed at Schedule 1 in**
**CL-2026-000336**

**RADISSON HOTEL HEATHROW LTD**
**and the Claimants listed at Schedule 1 in**
**CL-2026-000385**

**Claimants**

**and**

**(1) MASTERCARD INCORPORATED**
**(2) MASTERCARD INTERNATIONAL INCORPORATED**
**(3) MASTERCARD EUROPE S.A.**
**(4) MASTERCARD/EUROPAY U.K. LIMITED**

**Defendants**

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**CONSENT ORDER**

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**UPON** the above proceedings (the "**Proceedings**") involving claims against the Defendants in respect of alleged interchange fee overcharges

**AND UPON** the Commercial Court having issued claim forms in the following proceedings: (i) CL-2026-000272 on 8 May 2026, as amended on 30 June 2026 and re-amended on 3 August 2026; (ii) CL-2026-000297 on 22 May 2026, as amended on 31 July 2026; (iii) CL-2026-000336 on 12 June 2026, as amended on 17 July 2026; and (iv) CL-2026-000385 on 3 July 2026, as amended on 10 July 2026 and re-amended on 31 July 2026 (together, the "**Claim Forms**").

**AND UPON** the Claimants having served the Claim Forms upon the Defendants on 11 August 2026 (in respect of CL-2026-000272, CL-2026-000336 and CL-2026-000385), and 13 August 2026 (in respect of CL-2026-000297)

**AND HAVING REGARD TO** section 16 of the Enterprise Act 2002 (as amended) (the "**2002 Act**") and to the Section 16 Enterprise Act 2002 Regulations 2015 (the "**2015 Regulations**")

**AND HAVING REGARD TO** paragraphs 8.3 – 8.6 and 8.10 – 8.13 of Practice Direction 30 ("**Practice Direction 30**"), supplementing CPR Part 30, and to paragraph B13.6 of the Commercial Court Guide

**AND HAVING REGARD TO** the overriding objective in CPR Rule 1.1

**AND UPON** the parties having agreed to this Order in draft form, such agreement being without prejudice to the Claimants in the Proceedings' position regarding making any application to vary the Umbrella Proceedings Order (and schedule thereto) of the President of the Competition Appeal Tribunal dated 4 July 2022 in Case No 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings (the "**Merchant Umbrella Proceedings**") to include the Proceedings to be named as Host Cases in the Merchant Umbrella Proceedings for any element of the Proceedings following valid transfer thereof

**AND UPON** the Court concluding, in the light of all the circumstances of the case, including the wishes of the parties, that it is appropriate to make an Order pursuant to section 16(1) of the 2002 Act in conjunction with Regulation 2 of the 2015 Regulations in respect of the Proceedings

**AND UPON** noting that the Court may give such directions or make such order as it thinks fit to give effect to the determination of any issue by the Competition Appeal Tribunal pursuant to Regulation 2(b) of the 2015 Regulations

**AND UPON** the order of Mrs Justice Dias dated 1 October 2026, transferring the claims in the Proceedings to the Competition Appeal Tribunal, save for the elements of the Claimants' claims described in the Annex to that order

**IT IS ORDERED THAT:**

1. All claims in the Proceedings are hereby transferred (to the extent set out in paragraphs 3 and 4 below) to the Competition Appeal Tribunal pursuant to section 16(1) of the 2002 Act and Regulation 2 of the 2015 Regulations.

2. Pursuant to paragraph 3 of Practice Direction 30, this Order shall take effect forthwith.

3. This Order is not intended to alter, limit or exclude any element of the Claimants' claims as constituted in this Court prior to the transfer taking effect. To the extent that any element of the Claimants' claims as constituted in this Court prior to the transfer taking effect is not capable of falling within the jurisdiction of the Competition Appeal Tribunal on a transfer, or would be altered, limited or excluded by this Order or the transfer, it is not subject to this Order and remains within the jurisdiction of this Court, and is stayed until further order. This Court may give such further directions or make such further order as it thinks fit in connection with the transfer and/or with any element as referred to above.

4. For the avoidance of doubt and without prejudice to the generality of paragraph 3 above, the elements of the Claimants' claims described in the Annex to this Order (the "**Excluded Claims**") are not transferred by this Order, remain within the jurisdiction of this Court, and are stayed until further order.

5. The sending of this Order to the parties and the Competition Appeal Tribunal shall constitute notice to them for the purposes of paragraphs 8.5 and 8.12 of Practice Direction 30 and CPR Rule 30.4(1).

6. Any appeal against the determination by the Competition Appeal Tribunal of the issues transferred or any order giving effect to that determination in these Proceedings shall be governed by the rules in CPR Part 52.

7. Costs in the case.

8. A sealed copy of this Order shall be served by the Claimants on the Defendants.

**Annex – Excluded Claims**

i. All claims in respect of alleged infringements of foreign domestic competition law.

ii. Claims in respect of alleged infringements of Articles 101/102 TFEU in the period after 1 January 2021.