

Corrected pursuant to Rule 114(3) of the Competition Appeal Tribunal Rules 2015

IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1289/7/7/18

BETWEEN:

ROAD HAULAGE ASSOCIATION LIMITED

Class Representative

- and –

RHA USED TRUCKS LIMITED

Sub-Class Representative

- v -

TRATON SE AND OTHERS

Defendants

ORDER (CASE MANAGEMENT)

UPON the applications made by the Class Representative ("**the RHA**"), Sub-Class Representative ("**RUTL**") and Defendants by letters dated 11 September 2026

AND UPON hearing counsel for the parties at a Case Management Conference on 13 October 2026

AND UPON reading the letters from the parties' solicitors dated 15, 16, 19, and 27 October 2026

AND UPON the following definitions applying for the purpose of this Order:

(a) **"the Second Wave Trucks Proceedings"** means the cases set out in Annex 1 of the Ruling of the Competition Appeal Tribunal dated 9 January 2024 with neutral citation [2024] CAT 2

(b) **"the Second Wave Claimants"** means the claimants to the Second Wave Trucks Proceedings

(c) **"Class Register"** means the register on which the RHA has recorded the names of those represented persons who opted into the Proceedings by 28 February 2025 or otherwise have been granted permission to opt in

(d) **"RHA Truck Schedule"** means the schedule enclosed with the RHA's second letter of 4 August 2026 comprising the information the RHA has been able to gather to date in relation to the trucks claimed for by class members

(e) **"Responsive Truck Schedule"** means the schedule provided by the RHA to the other parties on 21 October 2026, including fields to be populated by each of the Defendants.

(f) **"Dissolved Companies"** means any companies on the Class Register which, as at the date of this order, are recorded on the Companies House register of companies as having been dissolved.

IT IS ORDERED THAT:

Confidentiality

1. Notwithstanding that Confidential Information (as defined in the Tribunal's Confidentiality Ring Order of 18 April 2019) has been read to or by the Tribunal, or otherwise referred to, at the Case Management Conference, no party or other person may use or disclose any Confidential Information, except as permitted by the Confidentiality Ring Order or with the permission of the Tribunal.

Permission to amend

2. The RHA has permission to amend the Collective Proceedings Claim Form in the form labelled Version A enclosed with Addleshaw Goddard LLP's letter to the Tribunal of 27 October 2026 ("**Amended Claim Form**").

3. RUTL has permission to amend its Collective Proceedings Claim Form in the form enclosed with Tyr Law's letter to the Tribunal of 27 October 2026 ("**Sub-Class Amended Claim Form**").

4. RUTL's application to amend its Collective Proceedings Claim Form is otherwise dismissed.

Directions for pleadings

5. The RHA shall file and serve the Amended Claim Form by 4pm on 4 November 2026.

6. RUTL shall file and serve the Sub-Class Amended Claim Form by 4pm on 4 November 2026.

7. The Defendants shall file and serve their Defences by 4pm on 18 December 2026.

8. The RHA and RUTL shall file and serve any Replies to the Defences, if so advised, by 4pm on 19 February 2027.

9. The RHA and RUTL shall file and serve any Rejoinders in relation to the issue of pass-on, if so advised, by 4pm on 26 March 2027.

UK OTS Disclosure and Ad Hoc Disclosure

10. By 4pm on 27 October 2026, each of the MAN Defendants, the DAF Defendants and the Iveco Defendants shall provide disclosure and inspection to the RHA and RUTL of the documents comprising the **UK OTS Disclosure**, as set out more particularly in Annex A to this Order.

11. By 4pm on 27 October 2026, each of the MAN Defendants, the DAF Defendants and the Iveco Defendants shall provide disclosure and inspection to the RHA and RUTL of the documents comprising the **Ad Hoc Disclosure**, as set out more particularly in Annex A to this Order.

Limited waiver of collateral use restrictions

12. The RHA's application for a limited waiver of the collateral use restrictions in rule 102(1) of the Rules in relation to the documents disclosed by the Second Wave Claimants in the Second Wave Trucks Proceedings is adjourned, with liberty to restore the application.

Defendants' response to Responsive Trucks Schedule

13. By 4pm on 16 December 2026, each Defendant shall provide a populated version of the **Responsive Truck Schedule** by completing the highlighted columns, being those designated for the Defendants' response.

14. In populating the Responsive Truck Schedule, each Defendant shall, in relation to trucks attributed to that Defendant in the RHA Truck Schedule, undertake reasonable endeavours to match:

    a. Complete (17 digit) VINs;

    b. Partial VINs; and

    c. Complete VRMs,

    against data in the UK OTS Disclosure and/or the Ad Hoc Disclosure provided by that Defendant.

15. By 4pm on 16 December 2026, each of the MAN Defendants, the DAF Defendants and the Iveco Defendants shall serve an explanation of the process undertaken by that Defendant to complete the Responsive Truck Schedule.

Further population of RHA Truck Schedule by the RHA

16. By 4pm on the date that is 4 weeks ahead of the next CMC, the RHA shall use its best endeavours to populate the RHA Truck Schedule with any further trucks identified since 4 August 2026 as having been acquired by those persons on the Class Register whose associated cluster ID does not appear in the RHA Truck Schedule.

Class Register

17. Any Dissolved Companies which have not either been restored to the Companies House register of companies or made an application to be so restored by 4pm on 16 February 2027 shall be removed from the Class Register.

18. The RHA shall write to the Defendants on 26 February 2027 to (i) confirm which, if any, persons have been removed from the Class Register by 16 February 2027, (ii) confirm which, if any, persons have an extant application for restoration by 16 February 2027 together with the date on which the application for restoration was made, and (iii) provide an updated copy of the Class Register.

Costs

19. Costs in the case, save that the costs of RUTL's application to amend its Collective Proceedings Claim Form (**"RUTL Application"**) are reserved.

20. The Defendants shall file any application in respect of the costs of the RUTL Application by 4pm on 19 November 2026.

21. RUTL shall file any response to the Defendants' application on the costs of the RUTL Application by 4pm on 3 December 2026.

Liberty to apply

22. The parties have liberty to apply.

Sir Peter Roth
Chair of the Competition Appeal Tribunal

Made: 2 November 2026
Corrected: 12 November 2026

ANNEX A

Defendant	**UK OTS Disclosure**	**Ad Hoc Disclosure**
DAF Defendants	Comprises the "Second Wave OTS Disclosure" and "Supplementary Second Wave OTS Disclosure". <u>Second Wave OTS Disclosure</u> Non-claimant specific overcharge files (6,693 files) which relate to the UK market for the period January 1994 to September 2017 and which were disclosed by DAF Defendants to the claimants in Cases 1291/5/7/18 (T) and 1295/5/7/18 (T) (the "**Trial 2 Proceedings**"); and the sections of any relevant and material guidance notes, disclosure statements and clarification responses (as identified on a best endeavours basis) provided in respect of such disclosure in the Trial 2 Proceedings. This does not include documents identified as 'communications disclosure'. The files included:	Additional material disclosed by DAF during the Second Wave often in response to specific requests from claimants. This included: • UK Pricing Statement – a statement made on behalf of the DAF Defendants and disclosed in case 1291/5/7/18 (T) (1 file). • Translations – translations of documents included within various disclosure tranches. (287 files). • PACCAR Leasing Dataset Disclosure - Data relevant to finance and lease agreements (and associated customer information) entered into by PACCAR Financial Entities. The material disclosed was limited to UK transactions and covers the period 9 May 2001 to 30 September 2017 (1 file).

	• Truck sales data and vehicle information; • Weekly visibility reports; • Build rate information; • Cost of manufacturing and sales information; • Guidelines or policy documents relating to pricing; and • Value of Commerce information. <u>Supplementary Second Wave OTS Disclosure</u> Additional documents disclosed in the Second Wave: • DAF's 2020 responses to requests for information concerning corporate approval memos and Key Indicator Documents (4 files). • A spreadsheet of data pertaining to Leyland plant which contains a breakdown of volumes between the UK and Europe (1 file). • Unredacted copies of DAF's redacted Trial 2 Statements (4 files).	

Iveco Defendants	2,606 documents disclosed in the Ryder and VSW proceedings which were not claimant-specific and which related to the UK market, together with sections of any relevant and material guidance notes, disclosure statements and other clarification responses (as identified on a best endeavours basis). Redactions were applied where a document was claimant specific or contained information in part in relation to non-UK trucks. It included data for new Iveco-branded trucks sold in the UK for the period 1 January 1997 to 30 September 2017, responsive to the issues of UK market-wide overcharge and VoC. It also included pre-infringement datasets which related to the period prior to 1 January 1997. The datasets and documents included, where available/identified: • vehicle identification numbers and model information; • seller and purchaser information; • order and invoice dates; • prices paid; • capacity utilisation and profit target data;	24 documents disclosed into the Second Wave Proceedings, in response to requests from individual Claimants or in support of Iveco's positive case, comprising: • 12 documents relating to fuel efficiency that were disclosed in response to queries raised by the Claimants. • 1 Excel document titled, "*VIN to registration number mapping*", which was utilised as part of Iveco's matching exercise; • 11 documents referred to in the witness statements and position statement filed in support of the Iveco Defendants' positive case in the Second Wave Proceedings.

	• repair & maintenance contracts datasets; • price setting and pricing policy documents; • management accounts; • system brochures; • disclosure statements and their annexures containing lists of documents, descriptions of the steps taken to collect the documents and searches conducted; • explanatory materials to assist with review and use of the datasets; • disclosure cover letters; and • .do files.	
MAN Defendants	A UK disclosure set, produced during the Second Wave Proceedings. The MAN OTS UK Disclosure comprised two disclosure sets: (i) the MAN Defendants' "Econometric Disclosure (2W UK)"; and (ii) and the MAN Defendants' "Other Disclosure (2W UK)", each of which is described in further detail below. <u>MAN Defendants' "Econometric Disclosure (2W UK)"</u>	21 documents disclosed generally in response to specific requests from individual claimants or in support of filings made on behalf of MAN. These comprised: • <u>UK Pricing Statement</u>: a statement made on behalf of MAN on pricing in the UK market, as disclosed in the VSW Proceedings (one file).

	A revised and consolidated version of the equivalent documents and information disclosed in the VSW Proceedings. This disclosure set includes data for new trucks sold in the UK for the period 1 January 1997 to 30 September 2017, responsive to agreed overcharge and VoC requests made in the VSW Proceedings, drawn from a number of the MAN Defendants' data systems. The types of data collected included: (i) vehicle identification number or chassis number; (ii) date of purchase/buyback; (iii) net and gross prices paid; (iv) model description and authorised vehicle weight; (v) EURO emissions class; and (vi) seller and purchaser information. The production contained 358 native files, comprising 286 Excel files, 31 PDF files, 24 TIF files, 11 JPG files and six Text Document files. The following supporting documents were also provided in connection with the production:	• VSW Witness Statements: witness statements filed on behalf of MAN Defendants in the VSW Proceedings, redacted to remove irrelevant (i.e. non-UK) information (8 files). • Used Trucks Documents: documents provided in response to requests for further information on Used Trucks (11 files), comprising: (i) the 'TopUsed Dataset', recording UK truck-level information on prices, costs and margins on used trucks sales by MAN's national sales companies; (ii) additional extended warranties data for used trucks in the UK; and (iii) additional repair and maintenance contracts data for used trucks in the UK

	a) Disclosure Statement Pack (2W UK): a pack of disclosure statements, as disclosed in the VSW Proceedings (17 PDF files); b) Annex 1 Pack (2W UK): the supporting Annex 1 documents (setting out the steps taken and searches conducted by the MAN Defendants), as disclosed in the VSW Proceedings, with redactions applied to any irrelevant (i.e. non-UK) related information (17 PDF files); c) Annex 2 (2W UK): a consolidated list of files comprising the MAN Defendants' Econometric Disclosure (2W UK) (one Excel file); d) Amended 'Annex 3a (2W UK)' and 'Amended Annex 3b (2W UK)': guidance notes to assist with review and use of the MAN Defendants' MTBSE Datasets (2W UK) and the MAN Defendants' MTBUK Datasets (2W UK) respectively, comprising compilations of the Annex 3 guidance notes disclosed in the VSW Proceedings (two PDF files); and	

	e) Annex 4 (2W UK): a consolidated glossary of the data fields in the MAN Defendants' Econometric Disclosure (2W UK) (one Excel file). <u>MAN Defendants' "Other Disclosure (2W UK)"</u> Comprised of the following production sets disclosed in the VSW Proceedings: (i) "2021.12.17 MAN T7 Pricing (MTBSE)"; and (ii) "2021.12.17 MAN T7 Pricing (MTBUK)". The production sets comprised documents dating from 1 January 1997 to 30 September 2017 considered relevant to the setting of Gross List Prices and/or Final Net Customer Price for new trucks sold by the MAN Defendants in the UK market. The produced documents comprise: (i) minutes of meetings of the MAN Truck & Bus SE management board; (ii) minutes of meetings of various MAN Truck & Bus SE pricing committees; and (iii) minutes of MAN Truck and Bus UK Limited board and committee meetings.	

	The production contained 149 native files and 8,006 load files. The resulting disclosure set, as detailed in the accompanying document list, contained 434 files, comprising 262 PDF files, 159 Word files, 10 PowerPoint files, and three RTF files. The following supporting documents were also provided in connection with the production sets: a) A Disclosure Statement, Annex 1 (steps taken and searches conducted) and Annex 3 (file path search terms) were provided for each of the two production sets (six PDF files). b) Annex 2 (2W UK): a consolidated list of files comprising the MAN Defendants' Other Disclosure (2W UK) and common to both production sets (one PDF file); c) For the 2021.12.17 MAN T7 Pricing (MTBUK) production only, an additional Annex 4 (keyword search terms) was also provided, as amended and consolidated for the purposes of the Second Wave Trucks Proceedings (one Excel file).	