

IN THE COMPETITION APPEAL TRIBUNAL Case No: 1433/7/7/22

BETWEEN

DR LIZA LOVDAHL GORMSEN

Class Representative

- v -

(1) META PLATFORMS, INC.
(2) META PLATFORMS IRELAND LIMITED
(3) FACEBOOK UK LIMITED

Defendants

- and -

COMPETITION AND MARKETS AUTHORITY

Intervener

ORDER

UPON the Tribunal ordering the Defendants to give disclosure in accordance with both the final Redfern Schedule and its Ruling on disclosure, [2025] CAT 85 (the **disclosure exercise**)

AND UPON the Tribunal's Order dated 3 June 2026 (the **CMC6 Order**), which set down directions to a trial of the Collective Proceedings, granted permission in principle for the parties to adduce written and oral expert evidence in the field of the digital advertising industry and approved the list of issues for the accounting experts (the **List of Issues for Accounting**)

AND UPON the Tribunal's Order dated 3 June 2026 ordering the Defendants to provide disclosure, and to provide an update to the Tribunal in respect of the progress of the Defendants' disclosure exercise by way of letter or witness statement by 8 June 2026

AND UPON the parties filing with the Tribunal on 12 August 2026 a list of issues for the digital advertising experts (the **List of Issues for Industry Experts**)

AND UPON the Tribunal's Order dated 14 August 2026, which approved the List of Issues for Industry Experts

AND UPON the Defendants' letter to the Tribunal dated 30 September 2026 providing an update as to their disclosure costs (the **September Disclosure Update**)

AND UPON the Defendants' application dated 16 October 2026 to the Tribunal for permission to adduce industry expert evidence from Professor Catherine Tucker in the field of digital advertising

AND UPON the Class Representative's applications dated 16 October 2026 in respect of: (a) the Defendants' conduct and costs (the **Abuse of Process and Costs Application**); and (b) the appointment of her proposed experts, Dr Serge Egelman and Professor John Chandler, in the field of the digital advertising industry (the **Industry Expert Application**)

AND UPON the Tribunal directing the parties, in its letter dated 20 October 2026, to prepare directions equivalent to those made in Case 1745/5/7/25 (T) *Roadget v Whaleco* (a ***Roadget* Order**)

AND UPON hearing Counsel for the Class Representative and Counsel for the Defendants at a case management conference on 5 November 2026 (**CMC7**)

IT IS HEREBY ORDERED THAT:

ABUSE OF PROCESS AND COSTS APPLICATION

1. The Class Representative's Abuse of Process and Costs Application is adjourned to a one-day hearing on **14 December 2026** before Mrs Justice Joanna Smith, commencing at **10am**.

2. By **5pm** on **3 December 2026**, the parties shall file and serve any evidence in advance of that hearing.

3. The Defendants' evidence, to be served in accordance with paragraph 2 above, shall address the approximate date(s) on which: (i) the Defendants; and (ii) their solicitors appreciated that there was a material risk that the Defendants' post-CPO costs would exceed £32 million.

4. By the same date for evidence referred to in paragraph 2 above, the Class Representative and the Defendants shall file and serve a report (verified by a statement of truth) from: (i) a partner of the legal representative with conduct of the case; and (ii) if necessary, from a suitable representative of the Defendants), which provides a month-by-month breakdown of their incurred costs from 1 July 2025 to 30 September 2026, together with identification of their total incurred post-CPO costs up to 1 July 2025.

   The breakdown of costs shall show:

   4.1. Costs incurred by each disclosure phase (being phases identified by the Defendants in the September Disclosure Update), including the (i) total number, number of hours, and hourly rates of the first-level and second-level reviewers; and (ii) the hosting and processing costs of Epiq (in respect of the Defendants) and any other provider used, and the quantum of any other charges or costs for such providers;

   4.2. Costs incurred by reference to each non-disclosure workstream;

   4.3. How the costs in paragraphs 4.1 and 4.2 above were incurred by reference to provider (being, in respect of the Defendants, at least Herbert Smith Freehills Kramer LLP, HSFK Digital, counsel, BRG, FTI, Epiq, EU / US counsel, and (insofar as the Defendants may contend such costs are potentially recoverable) the Defendants' internal employees), and by fee-earner grade, hours and hourly rates.

5. In the event that any information ordered to be provided pursuant to paragraph 4 above is not available, the report must identify such information and explain why it is not available.

6. By **1pm** on **8 December 2026**, the parties shall file and serve a costs budget in the form of Precedent H, including incurred and estimated costs through to trial.

7. The parties shall lodge and serve supplementary skeleton arguments by no later than **5pm** (and insofar as practicable by **2pm**) on **10 December 2026**.

8. The Defendants shall provide proposals to pause some of the ongoing work by the Defendants on the disclosure exercise and/or reduce the scope of the cost of the disclosure exercise. Any agreed proposals shall be implemented in accordance with the

terms and a timetable agreed between the parties or as may be ordered by the Tribunal if an agreement cannot be reached.

EXPERT EVIDENCE

***Roadget* Order**

9. The Class Representative will provide to the Defendants, by no later than **3 December 2026**:

   9.1. A draft list of issues for experts in the field of competition economics (the "**List of Issues for Competition Economics**") cross-referenced to the pleadings, including detail as to how it is proposed that the experts will provide evidence on those issues;

   9.2. A proposed list of pleading references for the List of Issues for Accounting and the List of Issues for Industry Experts, and detail as to how it is proposed that the experts will provide evidence on the issues therein; and

   9.3. Proposals as to the page limits she views as appropriate for primary and reply reports for each expert discipline.

10. The Defendants will confirm their agreement to the Class Representative, or respond with their comments in respect of the matters identified at paragraph 9 above by no later than **7 January 2027**. In the event of any areas of disagreement, they will set out reasons for the same and their response.

11. The Class Representative will confirm she agrees with, or respond with her comments in respect of the Defendants' response, identifying the matters agreed and setting out her position, with reasons, on any outstanding disagreements, by no later than **20 January 2027**.

12. To the extent that areas of disagreement remain in relation to the matters identified at paragraphs 9.1 to 9.3 above, the parties' solicitors will meet on a without prejudice basis **in the week commencing 1 February 2027**.

13. If deemed necessary to resolve any outstanding areas of disagreement and if agreed between the parties, the parties' competition economists may meet on a without prejudice basis to discuss the outstanding areas of disagreement in relation to the draft

List of Issues for Competition Economics **in the week commencing 15 February 2027**.

14. Following the meeting referred to at paragraph 12 above (or paragraph 13 above, if applicable), the Class Representative will set out to the Defendants her position (with reasons) on the outstanding areas of disagreement in relation to the matters identified in paragraphs 9.1 to 9.3 above by **3 March 2027**.

15. The Defendants will respond to the Class Representative confirming their agreement with, or setting out comments on each of the issues identified in paragraphs 9.1 to 9.3 above with reasons, by no later than **12 March 2027**.

16. The Class Representative will prepare and file with the Tribunal an agreed draft order, or if agreement cannot be reached, an agreed composite draft order reflecting the outcome of the process outlined at paragraphs 9 to 15 by no later than **19 March 2027**.

Expert Evidence Directions

17. The directions in paragraphs 17–19 of the CMC6 Order shall be amended to refer to "*signed accounting**, digital advertising** and competition economics expert reports(s)*".

18. The deadline in paragraph 17 of the CMC6 Order shall be amended to read: "*By **4pm** on **22 December 2027**, the CR shall file and serve her signed accounting, digital advertising and competition economics expert report(s).*"

19. The deadline in paragraph 18 of the CMC6 Order shall be amended to read: "*By **4pm** on **8 March 2028**, the Defendants shall file and serve their signed accounting, digital advertising and competition economics expert reports.*"

Industry expert evidence

20. Permission is granted for the Defendants to adduce the industry expert evidence of Professor Catherine Tucker in the field of the digital advertising industry, provided that the Defendants shall disclose to the Class Representative as soon as reasonably practicable and in any event by the end of **April 2027**: (i) reports, submissions (and equivalent) prepared by Professor Tucker on the instruction of the Meta corporate group (or its directors); and (ii) any instructions given to Professor Tucker by letter or email on behalf of the Meta corporate group (or its directors). To the extent that new material

falling into (i) or (ii) comes into existence at a later stage in these Proceedings, this will be disclosed as soon as reasonably practicable.

21. Permission is granted for the Class Representative to adduce written and oral expert evidence in the field of the digital advertising industry from:

    21.1. Dr Serge Egelman, who shall address Issues 1(c) and 4–7 of the List of Issues for Industry Experts; and

    21.2. Professor John Chandler, who shall address Issues 1 (save for (c)), and 2–3 of the List of Issues for Industry Experts.

CONFIDENTIALITY RING APPLICATION

22. The parties shall provide, by **12 November 2026**, dates to avoid to the Tribunal, for a half-day hearing to be listed to be heard in January 2027 in order to determine an application to be filed by the Class Representative requesting the inclusion of individuals connected with her funder to the confidentiality ring (the **Confidentiality Ring Application**). The Class Representative shall, if so advised, file the Confidentiality Ring Application and any supporting evidence by **5pm** on **9 December 2026**.

23. Following the listing of the hearing, the parties shall liaise on dates for evidence and skeleton arguments, and provide the Tribunal with an (agreed or competing) draft Order.

GENERAL

24. Costs in the case, save in respect of the Abuse of Process and Costs Application (which is adjourned and the costs of which are reserved).

25. Liberty to apply.

26. By agreement the parties may vary without further order any deadline in this Order provided that they inform the Tribunal of such agreement in advance of the expiry of the relevant deadline and the extension does not affect the dates of any listed hearings.

The Hon. Mrs Justice Joanna Smith Made: 5 November 2026

Chair of the Competition Appeal Tribunal Drawn: 24 November 2026