

IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1698/7/7/24

BETWEEN:

CLARE MARY JOAN SPOTTISWOODE CBE

Class Representative

- and -

(1) AIRWAVE SOLUTIONS LIMITED

(2) MOTOROLA SOLUTIONS UK LIMITED

(3) MOTOROLA SOLUTIONS, INC.

Defendants

ORDER

UPON the Tribunal's Collective Proceedings Order made on 12 November 2025

AND UPON materials having been exchanged between the Competition and Markets Authority (the "**CMA**"), the Defendants and the Secretary of State for the Home Department (the "**Home Office**"), which includes information that the CMA has obtained in connection with the exercise of its functions, held by Winston Taylor International LLP (formerly Winston & Strawn London LLP) (the "**Further Airwave CMA Documents**") during the CMA's consultation on the proposal to make a market investigation reference into the mobile radio network for emergency services and the market investigation into mobile radio network services (the "**Market Investigation**") which the CMA considers are or may be subject to the general restrictions on disclosure contained in Part 9 of the Enterprise Act 2002

AND UPON the Further Airwave CMA Documents potentially including the Home Office's information

AND UPON the CMA having established a confidentiality ring commencing on or around 21 October 2022 for the purposes of disclosing documents in the course of the Market Investigation (the "**2022 Confidentiality Ring**")

AND UPON the Competition Appeal Tribunal's Confidentiality Ring Order in case 1593/6/12 made on 6 July 2023 (the "**2023 Confidentiality Ring Order**")

AND UPON the Court of Appeal's Order in case CA-2024-000306 made on 6 August 2024 (as amended 5 September 2024 (the "**Court of Appeal's Order**")

AND UPON the definition of "**Appeal Confidentiality Ring Information**" contained in paragraph 2(b) of the Court of Appeal's Order

AND UPON the Tribunal's Confidentiality Ring Order in case 1698/7/7/27 made on 12 May 2025 and superseded by a further Confidentiality Ring Order on 27 April 2026 (the "**2026 Confidentiality Ring Order**")

AND UPON certain of the Further Airwave CMA Documents being subject to the 2022 Confidentiality Ring, the 2023 Confidentiality Ring Order and the Court of Appeal's Order such that they cannot be disclosed without a court order or consent of the relevant parties

AND UPON the Defendants having agreed to provide disclosure of certain Further Airwave CMA Documents exchanged with the CMA during the Market Investigation (the "**Agreed Further Airwave CMA Documents**") to the Class Representative

AND UPON the parties, the CMA, and the Home Office having agreed to the terms of this Order

AND HAVING REGARD TO the Tribunal's powers under the Competition Appeal Tribunal Rules 2015

AND HAVING REGARD TO the Practice Direction Relating to Disclosure and Inspection of Evidence in Claims Made Pursuant to Parts 4 and 5 of the Competition Appeal Tribunal Rules 2015 dated 14 March 2017

IT IS ORDERED THAT:

1. The Defendants' legal representatives in the Market Investigation, Winston Taylor International LLP (formerly Winston & Strawn London LLP), are permitted to provide to the Defendants' legal representatives, Herbert Smith Freehills Kramer LLP, the Agreed Further Airwave CMA Documents, including any material subject to a confidentiality ring in the Market Investigation and related appeals.

2. The Agreed Further Airwave CMA Documents may be disclosed in these Proceedings, subject to their treatment as Inner Confidentiality Ring Information (as defined in the 2026 Confidentiality Ring Order) as if the CMA and/or the Home Office (as may be applicable) were the disclosing party, and notwithstanding: (i) any collateral use restriction outside of these Proceedings; (ii) any restrictions imposed under the 2022 Confidentiality Ring, the 2023 Confidentiality Ring Order, the Court of Appeal's Order and/or Part 9 of the Enterprise Act 2002; and/or (iii) any other restriction however arising.

3. The Defendants' legal representatives shall disclose the Agreed Further Airwave CMA Documents to Ashurst Perkins Coie UK LLP, the Class Representative's legal representatives on date(s) to be agreed with the Class Representative.

4. The Defendants' legal representatives shall provide to the Home Office a list of the documents contained in the Agreed Further Airwave CMA Documents or any other Further Airwave CMA Documents disclosed in these Proceedings which have been expressly marked as containing Appeal Confidentiality Ring Information, as that definition applies to Home Office confidential information ("**List of Confidential CMA Documents**").

5. The Defendants' legal representatives shall provide the List of Confidential CMA Documents to the Home Office within 21 days after the documents referred to in paragraph 4 of this Order have been disclosed in these Proceedings.

6. Any Further Airwave CMA Documents that are subsequently disclosed in these Proceedings shall be treated as subject to Rule 102 of the Competition Appeal Tribunal Rules 2015.

7. If the Defendants or the Class Representative wishes to de-designate any Agreed Further Airwave CMA Documents that contain Appeal Confidentiality Ring Information belonging to the Home Office, they shall provide the Home Office with seven (7) days' notice. The Home Office may object to the proposed de-designation. If there are any disputes which cannot be resolved, the Party seeking de-designation or the Home Office may apply to the Tribunal.

General

8. Costs in the case.

9. There shall be liberty to apply.

The Honourable Mrs Justice Bacon
President of the Competition Appeal Tribunal

Made: 25 November 2026
Drawn: 25 November 2026