

IN THE COMPETITION APPEAL TRIBUNAL **Case No: 1750/5/7/25**

BETWEEN:

DR ANDRÉS HERANE-VIVES

Claimant

- v -

(1) AXA PPP HEALTHCARE LIMITED

First Defendant

(2) AXA INSURANCE UK PLC

Second Defendant

IN THE COMPETITION APPEAL TRIBUNAL **Case No: 1752/5/7/25**

BETWEEN:

DR ANDRÉS HERANE-VIVES

Claimant

- v -

(1) BUPA INSURANCE SERVICES LIMITED

Third Defendant

ORDER (DIRECTIONS)

UPON the Claimant's application dated 3 March 2026 to amend his claim form in Case 1750/5/7/25 and Case 1752/5/7/25 (together, the "**Proceedings**")

AND UPON the Claimant's application and request for directions of 5 October 2026

AND UPON the defendants' (the "**Defendants**") applications of 7 October 2026

AND UPON hearing the Claimant and counsel for the Defendants at a case management conference on 21 October 2026:

IT IS ORDERED AND DIRECTED THAT:

Forum

1. Pursuant to Rules 52 and 18 of the Tribunal Rules, the proceedings be treated as proceedings in England and Wales.

Split trial

2. There be a split trial in these proceedings in the following format:

    a. Trial 1 to deal with questions of liability under the Chapter I Prohibition and the Chapter II Prohibition, and whether the alleged anti-competitive conduct caused loss to the Claimant.

    b. All other questions to be adjourned to be heard after judgment in Trial 1.

Fast-Track

3. Trial 1 to be subject to the fast-track procedure under Rule 58 of the Tribunal Rules.

List of issues

4. By 4pm on 4 November 2026, the Defendants shall serve on the Claimant a draft consolidated list of issues to be determined at Trial 1.

5. The parties shall seek to agree the list of issues by 4pm on 6 November 2026.

Disclosure

6. By 4pm on 11 November 2026, the Defendants shall serve on the Claimant a concise, issues-based disclosure proposal identifying:

a. The category of documents sought or proposed to be disclosed;

b. The issue to which the category relates;

c. The likely custodian, source or date range, where known; and

d. The reason the category is necessary and proportionate.

7. The parties shall seek to agree the disclosure proposal by 4pm on 13 November 2026.

8. By 4pm on 16 November 2026, the Defendants shall file:

a. the list of issues which shall identify any remaining areas of disagreement between the parties for determination by the Tribunal; and

b. the disclosure proposal which shall identify any remaining areas of disagreement between the parties for determination by the Tribunal.

Further case management conference

9. A further case management conference is to be listed for late November 2026 to decide on next steps in the fast-track procedure, including cost budgeting, disclosure and directions to trial.

10. By no later than 14 days before the date listed for the case management conference referred to in paragraph 9 above:

a. The Defendants shall file and serve costs budgets; and

b. The parties shall file and serve any application(s) to be considered at that case management conference, including for disclosure and any expert evidence. Any application for permission to adduce expert evidence must: (1) specify which issue(s) between the parties the evidence will address; and (2) specify whether the parties propose to use a joint expert and if not, the reason for this.

Further information

11. By 4 November 2026, the Claimant shall provide an explanation of why he decided to withdraw his application to the General Medical Council for recognition on the Specialist Register as referred to in his Consolidated Reply at paragraph 26.4. The Third Defendant's other requests for information are refused.

12. The Claimant's application for further information from the AXA Defendants dated 5 October 2026 is refused.

Pleading amendments

13. The Claimant shall pay the Defendants' costs of and occasioned by the Claimant's Amended Statement of Case dated 2 March 2026.

Miscellaneous

14. The Claimant's application relating to the AXA PPP Individual Specialist Agreement of 2019 is refused.

15. The costs of the CMC be in the cases.

16. Liberty to apply.

Justin Turner KC
Chair of the Competition Appeal Tribunal

Made: 29 October 2026
Drawn: 29 October 2026