

IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1759/7/7/25

BETWEEN:

JLP A&A CLASS REPRESENTATIVE LIMITED

Class Representative

- v -

(1) APPLE INC.

(2) APPLE DISTRIBUTION INTERNATIONAL LIMITED

(3) AMAZON.COM, INC.

(4) AMAZON EUROPE CORE S.À.R.L.

(5) AMAZON EU S.À.R.L.

(6) AMAZON.COM SERVICES LLC

Defendants

ORDER (DISCLOSURE, DIRECTIONS AND COSTS)

UPON the Class Representative having applied, by Collective Proceedings Claim Form dated 15 December 2025, for a Collective Proceedings Order ("**CPO**") pursuant to section 47B of the Competition Act 1998 (the "**CPO Application**")

AND UPON the Tribunal's Judgment dated 28 September 2026 ([2026] CAT 75) (the "**Certification Judgment**") and the CPO made on 20 October 2026

AND UPON the applications of the Class Representative, the First and Second Defendants and the Third to Sixth Defendants for their costs in relation to the CPO Application and for interim payments on account of those costs, dated 5 October 2026 (the "**CPO Costs Applications**")

AND UPON the parties having filed responsive submissions in relation to the CPO Costs Applications

AND UPON the Class Representative's application by letter dated 16 October 2026 for targeted early disclosure before amendment of the Claim Form (the "**Disclosure Application**")

AND UPON considering the parties' written submissions on the Disclosure Application

AND UPON determining the Disclosure Application on the papers

AND UPON the Collective Proceedings Order which was made on 20 October 2026 (the "**CPO**")

AND UPON the Tribunal having determined the CPO Costs Applications by its Ruling dated 28 October 2026 ([2026] CAT 80) (the "**CPO Costs Ruling**")

IT IS ORDERED THAT:

CPO Costs

1. There be no order as to costs in respect of:

   (a) the parties' costs of the proceedings incurred up to and including 28 September 2026 (being the date of the Certification Judgment); and

   (b) the parties' costs of the CPO Application and the CPO Costs Applications incurred post-28 September 2026.

Disclosure Application

2. By 4pm on 4 December 2026, the Defendants shall disclose by list, and provide the Class Representative with electronic copies of, the documents within their control specified in the Schedules to this Order (the "**Schedule – Apple**" being the relevant Schedule for the First and Second Defendants and the "**Schedule - Amazon**" being the relevant Schedule for the Third to Sixth Defendants).

3. A document responsive to more than one Schedule item need only be produced once.

4. The Defendants shall be permitted to redact information contained in documents which are to be disclosed pursuant to the Schedules on grounds of privilege or irrelevance.

5. The Defendants shall be permitted to redact or withhold any attachments which are to be disclosed pursuant to the Schedules on grounds of privilege or irrelevance. An attachment may be withheld in full only where no part is both relevant and non-privileged.

6. The disclosure list shall identify, by the relevant Schedule reference, any document or attachment withheld or otherwise not produced, and any redaction, stating the grounds and a brief explanation in each case.

7. By 4pm on 13 November 2026, each Defendant shall notify the Class Representative, by Schedule item, of:

   (a) any proposed withholding or redaction on grounds of privilege or irrelevance, with reasons; and

   (b) any substantiated impediment to production under paragraph 2 and its proposed resolution.

8. By 4pm on 27 November 2026, the parties shall confer with a view to resolving or narrowing any issues notified under paragraph 7.

9. The process under paragraphs 7 and 8 shall not delay production of unaffected Schedule items or suspend or extend the time for production under paragraph 2.

10. The costs of the Disclosure Application shall be costs in the case.

Future Case Management Directions

11. The Class Representative shall file and serve an amended Claim Form by 4pm on 15 January 2027, removing the Off-Amazon Claim, incorporating the claim for injunctive relief permitted by paragraph 7.1 of the CPO, and further particularising the alleged infringement in respect of the On-Amazon Claim.

12. The Defendants shall file and serve their Defences by 4pm on 12 February 2027.

13. The Class Representative shall file and serve any Reply by 4pm on 15 March 2027.

14. A Case Management Conference ("**CMC**") shall be listed for the first available date on or after 12 April 2027, with a time estimate of one day, to consider directions to trial. By

4pm on 6 November 2026, the parties shall provide the Registry with a joint statement of availability for that listing.

15. By 4pm on the date three weeks before the CMC, the parties shall file a composite draft directions order with their proposed directions on next steps in the proceedings, including disclosure, indicating the agreed directions and their respective proposals on any directions that are not agreed. By the same date, the parties shall file any evidence in support of directions that are not agreed.

16. By 4pm on the date two weeks before the CMC, the parties shall file and serve any reply evidence.

17. By 4pm on the date seven days before the CMC, the parties shall file (a) an agreed list of issues for determination at the CMC, including time estimates for each issue; (b) an electronic version of the agreed bundle for the CMC; and (c) skeleton arguments for the CMC, fully cross-referenced to the agreed CMC bundle.

18. The authorities bundle for the CMC is to be filed by 4pm on the working day following filing of the skeleton arguments.

General

19. There be liberty to apply.

The Honourable Mrs Justice Bacon
President of the Competition Appeal Tribunal

Made: 30 October 2026
Drawn: 30 October 2026

SCHEDULE – APPLE

In this Schedule, the "**AGCM Decision**" means the decision dated 16 November 2021 (Case I842), and the "**CNMC Decision**" means the decision dated 12 July 2023 (Case S/0013/21).

The following documents identified in the AGCM Decision:

1. Document 58, annex APL-ITALY_00000062.
2. Document 58, annex APL-ITALY_00000071.
3. ISP.73.

The following documents identified by folio reference in the CNMC Decision:

4. Folios 4351–4368.
5. Folios 2296–2297.
6. Folios 10483–10489.
7. Folios 10490–10491.
8. Folios 10492–10520.
9. Folios 10521–10584.
10. Folios 10585–10639.
11. Folios 10640–10686.
12. Folio 10687.
13. Folios 10688–10695.
14. Folio 10696.
15. Folios 10697–10698.
16. Folio 10699.
17. Folios 10700–10703.
18. Folio 10704.
19. Folios 10705–10706.
20. Folios 10707.
21. Folios 10708–10710.
22. Folio 10711.
23. Folio 10712.
24. Folios 10713–10715.
25. Folio 10716.
26. Folios 10717–10718.
27. Folios 10719.
28. Folios 10720–10725.
29. Folios 10726–10728.
30. Folios 10729–10732.
31. Folios 10733.
32. Folios 10734–10735.

SCHEDULE - AMAZON

In this Schedule, the "**AGCM Decision**" means the decision dated 16 November 2021 (Case I842), and the "**CNMC Decision**" means the decision dated 12 July 2023 (Case S/0013/21).

The following documents identified by ISP reference in the AGCM Decision:

1. ISP.8, including any attachments to ISP.8
2. ISP.9, including any attachments to ISP.9.
3. ISP.13, including any attachments to ISP.13.
4. ISP.16, including any attachments to ISP.16.
5. ISP.27, including any attachments to ISP.27.
6. ISP.31, including any attachments to ISP.31.
7. ISP.58, including any attachments to ISP.58.
8. ISP.72, including any attachments to ISP.72.
9. ISP.92, including any attachments to ISP.92.

The following documents identified by folio reference in the CNMC Decision:

10. Folios 4658–4661.
11. Folio 4800.
12. Folio 4825.