



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

BETWEEN:

Case No: 1236/5/7/15

- (1) DSG RETAIL LIMITED**  
**(2) DIXONS RETAIL GROUP LIMITED**

Claimants

Case No: 1264/5/7/16

- (1) TRANSPORT FOR LONDON**  
**(2) TRANSPORT TRADING LIMITED**  
**(3) LONDON UNDERGROUND LIMITED**  
**(4) VICTORIA COACH STATION LIMITED**  
**(5) DOCKLANDS LIGHT RAILWAY LIMITED**  
**(6) RAIL FOR LONDON LIMITED**  
**(7) LONDON TRANSPORT MUSEUM LIMITED**  
**(8) LONDON TRANSPORT MUSEUM (TRADING) LIMITED**  
**(9) LONDON BUS SERVICES LIMITED**  
**(10) LONDON BUSES LIMITED**  
**(11) LONDON RIVER SERVICES LIMITED**  
**(12) TRAMTRACK CROYDON LIMITED**

Claimants

Case No: 1265/5/7/16

- DIXONS CARPHONE PLC (UK)**

Claimants

Case No: 1268/5/7/16

- (1) EUROPCAR UK LIMITED**  
**(2) PREMIERFIRST VEHICLE RENTAL HOLDINGS LIMITED**  
**(3) EUROPCAR GROUP UK LIMITED**  
**(4) PREMIERFIRST VEHICLE RENTAL FRANCHISING LIMITED**

Claimants

- v -

- (1) MASTERCARD INCORPORATED**  
**(2) MASTERCARD INTERNATIONAL INCORPORATED**  
**(3) MASTERCARD EUROPE SPRL**

Defendants

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**ORDER**

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**UPON** reading the correspondence and submissions exchanged between the parties

**AND UPON** reading the Defendants' applications dated 5 September 2016 (Claim 1236), 29 November 2016 (Claim 1265), 20 December 2016 (Claim 1264), and 25 January 2017 (Claim 1268) seeking an order pursuant to the applicable Competition Appeal Tribunal Rules and / or the Orders made in each case permitting service out of jurisdiction that:

- (a) The Tribunal has no jurisdiction to hear Claims 1236, 1264, 1265, and 1268 (or should not exercise its jurisdiction) or alternatively that the claims be rejected on summary basis insofar as the claims are based on an infringement having occurred prior to 20 June 1997 (or alternatively 30 April 1996), since any such claim is timebarred
- (b) The Tribunal has no jurisdiction to hear Claims 1236 and 1265 (or should not exercise its jurisdiction) or alternatively that the claims be rejected on summary basis insofar as, under English law, there is no scope for a claim by a parent company in relation to loss which is merely a reflection of the loss suffered by the subsidiary to which it has an actionable claim

The above applications and/or limbs of the applications brought in response to Claims 1236, 1264, 1265, and/or 1268 are hereafter referred to collectively as **“the Applications”**

**AND UPON** the parties having agreed to paragraphs 1-5 and 8-9 of this Order for the hearing of the Applications without prejudice to the position of each of the Claimants as set out in their respective Observations on those Applications

**IT IS ORDERED THAT:**

1. The Defendants file and serve a responsive pleading on the issue of limitation periods applicable to the Claims by 27 October 2017.
2. The Claimants in each Claim file and serve a reply to the pleading on the issue of limitation by 17 November 2017.
3. The Defendants file and serve any evidence upon which they intend to rely in respect of the Applications by 8 December 2017.
4. The Claimants file and serve any evidence upon which they intend to rely in respect of the Applications by 12 January 2018.
5. The Defendants file and serve any responsive evidence, if appropriate, by 2 February 2018.
6. A case management conference be listed on the first available date after 19 February 2018.

7. A hearing be listed on the first available date after 19 March 2018, to be settled in liaison with counsels' clerks, with a provisional time estimate of 3 days.
8. The Defendants file and serve their skeleton argument in support of the Applications by no later than 14 days before the hearing.
9. The Claimants file and serve their skeleton arguments in response by no later than 7 days before the hearing.

**The Hon Mr Justice Roth**  
President of the Competition Appeal Tribunal

Made: 9 October 2017  
Drawn: 9 October 2017