



**IN THE COMPETITION  
APPEAL TRIBUNAL**

Case No: 1248/5/7/16

**PEUGEOT S.A. AND OTHERS**

Claimants

-v-

(1) NSK LTD.  
(2) NSK EUROPE LTD.  
(3) NTN CORPORATION  
~~(4) JTEKT CORPORATION~~  
(5) AB SKF  
~~(6) INA HOLDING SCHAEFFLER GMBH & CO. KG~~  
~~(7) SCHAEFFLER HOLDING GMBH & CO. KG~~  
~~(8) SCHAEFFLER AG~~

Defendants

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**ORDER**

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**HAVING REGARD TO** the Tribunal's Orders of 11 October 2016 (the "**October Order**"), 12 January 2017 (the "**January Order**"), and 22 May 2017 (the "**May Order**")

**AND HAVING REGARD TO** the Tribunal's powers under the Competition Appeal Tribunal Rules 2015 (the "**Tribunal Rules**")

**AND UPON** the letter of Hausfeld & Co. LLP dated 18 May 2017 sent on behalf of the Claimants and Defendants applying to vary the timetable and trial window in the above proceedings.

**IT IS ORDERED BY CONSENT THAT:**

**Timetable up to Pre-Trial Review**

1. Pursuant to paragraph 20 of the January Order and paragraph 10 of the May Order the terms of the following paragraphs in the May Order and the January Order are varied as set out below.

### **Witnesses of Fact**

2. Paragraph 2 of the May Order and paragraph 12 of the January Order are varied such that each party will file and serve on every other party the witness statements of oral evidence which the party serving the witness statements intends to rely on in relation to any issue of fact to be decided at trial, such witness statements to be exchanged simultaneously, by 4pm on 15 September 2017.
3. Paragraph 3 of the May Order and paragraph 13 of the January Order are varied such that each party will file and serve on every other party any witness statements in reply by 4pm on 13 October 2017.

### **Expert Evidence**

4. Paragraph 4 of the May Order and paragraph 14 of the January Order are varied such that the Claimants' expert shall file and serve a report in relation to the matters set out in paragraph 13 of the October Order by 4pm on 24 November 2017.
5. Paragraph 5 of the May Order and paragraph 15 of the January Order are varied such that the Defendants' experts shall file and serve their reports in response, but will liaise to avoid any unnecessary duplication, by 4pm on 12 January 2018.
6. Paragraph 6 of the May Order and paragraph 16 of the January Order are varied such that the Claimants' expert shall file and serve a reply report by 4pm on 9 February 2018.
7. Paragraph 7 of the May Order and paragraph 17 of the January Order are varied such that by no later than 4pm on 23 February 2018 the parties' experts shall meet in accordance with paragraph 16 of October Order and shall identify in a joint memorandum the matters set out at paragraphs 16 (a) – (c) of the October Order.
8. Paragraph 8 of the May Order and paragraph 18(b) of the January Order are varied such that the parties' experts shall file with the Tribunal a short progress report (in the form set out in that sub-paragraph of the January Order) by 4pm on 16 February 2018.

### **Pre-Trial Review and Trial**

9. The terms of the following paragraphs in the October Order are varied as set out below.
10. Paragraph 18 is varied such that a one-day pre-trial review shall be fixed before Mr Justice Green on a convenient date between 1 and 15 March 2018.
11. Paragraph 19 is varied such that a six-week window will be reserved for the trial, starting on 16 April 2018.

## **Costs**

12. Costs in the case.
13. There be liberty to apply.

**The Honourable Mr Justice Green**  
Chairman of the Competition Appeal Tribunal

Made: 12 June 2017  
Drawn: 13 June 2017