



Neutral Citation: [2016] CAT 5

Case No: 1249/5/7/16

IN THE COMPETITION
APPEAL TRIBUNAL

BETWEEN:

SOCRATES TRAINING LIMITED

Claimant

- v -

THE LAW SOCIETY OF ENGLAND AND WALES

Defendant

ORDER

UPON reading the Defendant's application by letter dated 26 April 2016 seeking a four week extension of time for service of the Defence and that the hearing of the case management conference be vacated and re-fixed for a date after 13 June 2016

AND UPON reading the exchange of correspondence dated 25 April between the Claimant and the Defendant's solicitors

IT IS ORDERED THAT:

1. The Defendant is granted an extension of time in which to file and serve its Defence until 5pm on 12 May 2016. The request for a further extension is refused.

REASONS

The claim was served on the Defendant's then solicitors on 5 April 2016. The Defendant had previously been placed on notice of the claim by letter on 2 March. The claim includes an application for listing under the Fast-track Procedure and the essence of that procedure is that the claim will be dealt with swiftly. No application was then made for an extension of time for service of the Defence. The Defendant's solicitors were notified on 14 April that a case management conference would be heard on 16 May, and they were told that this date can only be varied in "exceptional circumstances".

It is appreciated that the Defendant decided to change solicitors and that it apparently chose to instruct new solicitors only on 25 April. However, work for preparation of the Defence will presumably have been commenced by its previous solicitors who were aware on service of the claim that the Defence was due by 3 May. The Defendant is not an entity that is unfamiliar with the requirements of litigation, and its decision to instruct new solicitors only a few days before its Defence is due cannot be allowed to disrupt the hearing of the case management conference, which (as the Defendant recognises) would have to be vacated if the extension of 4 weeks now requested was granted. The extension granted by this Order will enable the Defendant's new solicitors to get up to speed on the work presumably carried out by its previous solicitors and take further instructions for the drafting of a Defence.

The Honourable Mr Justice Roth
President of the Competition Appeal Tribunal

Made: 26 April 2016
Drawn: 26 April 2016