



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1262/5/7/16 (T)

BETWEEN:

AGENTS' MUTUAL LIMITED

Claimant

-v-

GASCOIGNE HALMAN LIMITED (T/A GASCOIGNE HALMAN)

Defendant

AND BETWEEN:

AGENTS' MUTUAL LIMITED

Claimant

-v-

MOGINIE JAMES LIMITED

Defendant

ORDER (COSTS MANAGEMENT)

UPON reading the papers filed with the Tribunal

AND UPON noting the Order of the Hon. Sir Kenneth Parker of 5 July 2016 in the High Court proceedings HC-2016-000513 between the Claimant and Gascoigne Halman Ltd ("Gascoigne Halman") and HC-2016-001149 between the Claimant and Moginie James Ltd ("Moginie James") transferring the competition issues (as defined) in those proceedings to the Tribunal (the "5 July Order")

AND UPON the applications of Gascoigne Halman of 20 June 2016 and of Moginie James of 28 June 2016 that the Claimant provide security for costs, those applications having been determined by separate orders made on 14 September 2016 in the High Court proceedings by the President in his capacity as a judge of the High Court

AND UPON the application of Claimant of 15 August 2016 for costs management

AND UPON hearing Counsel for the Claimant and for the Defendants at a hearing on 14 September 2016

IT IS ORDERED THAT:

1. There be no further order in the Tribunal for security for costs.
2. Pursuant to rule 53(2)(m) of the Competition Appeal Tribunal Rules 2015, the proceedings in the Tribunal shall be subject to costs management, as follows:
 - 2.1 Rules 3.13 to 3.18 of the Civil Procedure Rules and Practice Direction 3E shall apply by analogy;
 - 2.2 By 4pm on Monday 19 September 2016, the parties shall serve and file costs budgets in the form prescribed by Precedent H;
 - 2.3 By 4pm on Tuesday 27 September 2016, the parties shall serve and file budget discussion reports; and
 - 2.4 A costs case management conference be listed for 2:30pm on Wednesday 5 October 2016 with an estimate of 2 hours, unless the parties agree that approval of costs budgets may be determined on the papers.
3. Gascoigne Halman has liberty to apply to the Tribunal by no later than 4pm on Monday 19 September 2016 to review paragraph 2 of this Order on the basis of any agreement or common understanding with the Claimant prior to the 5 July Order regarding costs management in the Tribunal, any such application to be made in writing together with the evidence relied on.
4. The costs of the Claimant's application be costs in the case.
5. There be liberty to apply.

The Honourable Mr Justice Roth
President of the Competition Appeal Tribunal

Made: 14 September 2016
Drawn: 15 September 2016