



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

Case: 1293/5/7/18 (T)

Case: 1292/5/7/18 (T)

Case: 1294/5/7/18 (T)

**(1) – (139) VEOLIA ENVIRONNEMENT S.A. AND OTHERS**

Claimants

**-v-**

**(1) – (15) FIAT CHRYSLER AUTOMOBILES N.V. AND OTHERS**

Defendants

**-and-**

**(1) - (4) PACCAR INC. AND OTHERS**

Third Parties

AND

**(1) – (339) SUEZ GROUPE SAS AND OTHERS**

Claimants

**-v-**

**(1) – (4) FIAT CHRYSLER AUTOMOBILES N.V. AND OTHERS**

Defendants

**-and-**

**(1) - (15) IVECO S.P.A. AND OTHERS**

Third Parties

AND

**(1) – (153) WOLSELEY UK LIMITED AND OTHERS**

Claimants

**-v-**

**(1) - (4) FIAT CHRYSLER AUTOMOBILES N.V. AND OTHERS**

Defendants

**-and-**

**(1) - (15) MAN SE AND OTHERS**

Third Parties

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**ORDER**

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**HAVING REGARD TO** the directions order drawn on 31 March 2020 in the VSW Proceedings (the “**Directions Order**”)

**AND UPON** the definitions adopted in the Directions Order applying for the purposes of this Order, except where otherwise stated

**AND UPON** the Defendants consenting to the proposed amendments set out in the draft amended Particulars of Claim in each of the VSW Proceedings.

**AND UPON** the Defendants reserving their right to seek further information and/or further particulars of the Claimants’ claims for loss of profits set out in paragraph 60A in Case 1294 Wolseley, paragraph 70A in Case 1293 Veolia, and paragraph 55A in Case 1292 Suez

**AND UPON** reading the letters from Hausfeld & Co. LLP of 28 May and 29 June 2020 on behalf of the Claimants and the letter from Herbert Smith Freehills LLP of 9 June 2020 on behalf of all the main Defendants

**IT IS ORDERED THAT:**

1. The Claimants have permission to amend their Particulars of Claim in the form of the draft amended Particulars of Claim.
2. Permission to amend is granted on the basis that the amendments do not, for limitation purposes, give rise to a relation back of the amendments to the date of the issue of these proceedings, unless the Claimants can show at trial that, for the purpose of section 35 Limitation Act 1980:
  - a. The amendments do not add or substitute a new claim or claims; or
  - b. In respect of any amendments which do add or substitute a new claim or claims, each new claim arises out of the same facts or substantially the same facts as the claim which is pleaded in the Particulars of Claim.
3. Costs in the case

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

Made: 19 August 2020  
Drawn: 20 August 2020