



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1358/5/7/20 (T)

BETWEEN:

ZAMENHOF EXPLOITATION AND OTHERS

Claimants

- and -

- (1) FIAT CHRYSLER AUTOMOBILES N.V.
- (2) CNH INDUSTRIAL N.V.
- (3) IVECO S.P.A.
- (4) IVECO MAGIRUS AG
- (5) MAN SE
- (6) MAN TRUCK & BUS SE
- (7) MAN TRUCK & BUS DEUTSCHLAND GMBH
- (8) AKTIEBOLAGET VOLVO
- (9) VOLVO LASTVAGNAR AKTIEBOLAG
- (10) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH
- (11) RENAULT TRUCKS SAS
- (12) DAF TRUCKS N.V.
- (13) DAF TRUCKS DEUTSCHLAND GMBH
- (14) DAIMLER AG

Defendants

- and -

- (1) SCANIA AKTIEBOLAG (PUBL)
- (2) SCANIA CV AKTIEBOLAG (PUBL)
- (3) SCANIA DEUTSCHLAND GMBH

Part 20 Defendants

CONSENT ORDER

UPON the order of the High Court dated 22 June 2020 staying the claims of the Claimants in these proceedings relating to the trucks listed in the schedule to that order

AND UPON the First to Fourth Defendants issuing a Part 20 claim against the Part 20 Defendants on 6 July 2020

AND UPON these proceedings being transferred to the Competition Appeal Tribunal on 5 August 2020 pursuant to the order of the High Court dated 17 March 2020

AND UPON certain of the trucks manufactured by the Part 20 Defendants which are the subject of the claims by the Claimants in these proceedings (including those listed in the schedule to this order) also being the subject of separate pre-existing claims by parties other than the Claimants in proceedings in jurisdictions other than England and Wales

AND UPON there existing a real risk of irreconcilable judgments resulting from separate proceedings concerning the same trucks

AND UPON Article 30 of Regulation (EU) 1215/2012 of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters providing a mechanism for minimising the possibility of irreconcilable judgments being given in different Member States

AND UPON the parties having agreed to an order in the terms below

IT IS ORDERED BY CONSENT THAT:

1. The claims of the Claimants in these proceedings relating to the trucks listed in the schedule to this order shall be stayed.
2. The stay ordered at paragraph 1 in relation to any truck listed in the schedule to this order shall expire 1 month after the final determination of the claim (including any appeals) of which the relevant truck is the subject as set out in the schedule to this order, or the settlement or discontinuance of the same.
3. The parties have liberty to apply, including to add or remove trucks from the schedule to this order.
4. Costs in the case.

The Hon Mr Justice Roth
President of the Competition Appeal Tribunal

Made: 15 September 2020
Drawn: 16 September 2020

Schedule of overlapping trucks manufactured by Scania

	VIN	Member State (Court)	Claim	Date first seised
1.	VLUP4X20009097642	The Netherlands (Amsterdam)	Cartel des Camions I (C/13/659129)	19 December 2018
2.	VLUP4X20009110964	The Netherlands (Amsterdam)	Cartel des Camions I (C/13/659129)	19 December 2018