



IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
INSOLVENCY AND COMPANIES LIST (ChD)

CR-2020-003576

IN THE MATTER OF LEXON (UK) LIMITED
AND IN THE MATTER OF THE COMPANY DIRECTORS DISQUALIFICATION ACT 1986

BEFORE THE HONOURABLE MR JUSTICE MARCUS SMITH
IN THE INTERIM APPLICATIONS LIST
On Tuesday 15 September 2020

BETWEEN:

COMPETITION AND MARKETS AUTHORITY

Claimant

-and-

PRITESH SONPAL

Defendant

ORDER

UPON the Claim of the Competition and Markets Authority ("**CMA**") for a competition disqualification order to be made against the Defendant pursuant to section 9A of the Company Directors Disqualification Act 1986 ("**CDDA**"), dated 27 August 2020 ("**the Claim**")

AND UPON the CMA's application dated 27 August 2020 for the Claim to be dealt with by a High Court Judge and for the determination of the "First Condition" (as defined by s9A(2) of the CDDA) to be transferred to the Competition Appeal Tribunal ("**CAT**") pursuant to regulation 2 of The Section 16 Enterprise Act 2002 Regulations 2015/1643 ("**the Application**")

AND UPON HEARING Catherine Addy QC, Alexander Cook and David Bailey of counsel for the CMA and Mark Brealey QC for the Defendant

AND UPON READING a copy of a draft consent order signed by the CMA and by the Defendant's legal representative

AND UPON READING the evidence

IT IS ORDERED BY CONSENT THAT:

1. The time for service of the Application be abridged.
2. Subject to any further Order of the Court and paragraph 3 below, the Claim be case-managed by, and listed before, a High Court Judge.
3. Pursuant to regulation 2 of The Section 16 Enterprise Act 2002 Regulations 2015/1643, the determination of the "First Condition" (as defined by s9A(2) of the CDDA, namely whether Lexon (UK) Limited ("**Lexon**"), being a company of which the Defendant was and is a director, has committed a breach of competition law within the meaning of s9A(4) of the CDDA) be transferred to the CAT, so that it may be heard and determined by the CAT (subject to such case management directions as the CAT shall think fit) alongside the appeal by Lexon against the infringement decision dated 4 March 2020 in Case 50507.2.
4. Pending the determination of the First Condition by the CAT pursuant to paragraph 3 above, the Claim be otherwise stayed pending further Order of the Court.
5. Upon the First Condition being determined by the CAT, the CMA shall notify the Court and apply for the Claim to be listed for a case management conference for further directions to be made in respect of the further determination of the Claim.
6. The parties have permission to apply.
7. Costs in the Claim.

Dated this 15th day of September 2020

Service of this order:

The Court has provided sealed copies of this Order by email to the CMA at: Jessica.radke@cma.gov.uk