



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1357/5/7/20 (T)

BETWEEN:

- (1) **FIAT CHRYSLER AUTOMOBILES N.V.**
- (2) **FCA ITALY S.P.A.**
- (3) **FCA MELFI S.R.L.**
- (4) **FCA SRBIJA D.O.O.**
- (5) **FCA POLAND S.A.**
- (6) **MASERATI S.P.A.**
- (7) **SEVEL S.P.A.**

Claimants

- v -

- (9) **NTN CORPORATION**
- (10) **NTN WALZLAGER (EUROPA) GmbH**
- (11) **NTN-SNR ROULEMENTS SA**

Defendants

ORDER

UPON the transfer of these proceedings from the High Court to the Tribunal by order of Mr Justice Jacobs dated 10 July 2020

AND UPON the Consent Confidentiality Ring Order of HHJ Pelling Q.C. dated 29 May 2020 in these proceedings (“**the Confidentiality Order**”) and upon the Defendants having designated disclosed documents as being Inner Confidentiality Ring Information for the purposes of paragraph 1.1.2 of the Confidentiality Order

AND UPON the Claimants providing the Defendants with a draft Re-Amended Claim Form and draft Re-Amended Particulars of Claim

AND UPON hearing Leading Counsel for the Claimants and Leading Counsel for the Defendants at a case management conference held remotely on 11 January 2021

AND UPON the Claimants indicating at that case management conference that they had no further requests for disclosure to make of the Defendants

IT IS ORDERED THAT:

Amendments to statements of case

1. By no later than 4 pm on Monday 25 January 2021, the Defendants to indicate whether they consent to the Claimants' proposed re-amendments to the Amended Claim Form and Amended Particulars of Claim in the manner shown in the draft Re-Amended Claim Form and Particulars of Claim. If the Defendants consent to those amendments, the following timetable shall apply with respect to further amendments to the statements of case:
 - (a) The Claimants to file and serve the Re-Amended Claim Form and Re-Amended Particulars of Claim by no later than 4pm on Tuesday 26 January 2021;
 - (b) The Defendants to file and serve an Amended Defence by no later than 4pm on Friday 5 March 2021;
 - (c) The Claimants to file and serve any Amended Reply by no later than 4pm on Friday 26 March 2021.

Confidentiality

2. By 4pm on Monday 1 February 2021, the Defendants will consider the criticisms advanced by the Claimants in correspondence and at the hearing on 11 January 2021 of the Defendants' designation of their disclosure as being Inner Confidentiality Ring Information for the purposes of paragraph 1.1.2 of the Confidentiality Order, and will either agree (a) to undertake a full review of the confidentiality designations of the disclosed documents that remain in the Inner Confidentiality Ring and make confidentiality designations afresh; or (b) to provide an explanation, in the form of a witness statement from the partner at White & Case LLP with conduct of these proceedings for the Defendants, verified by a statement of truth, of the approach adopted by the Defendants to the confidentiality designation of their disclosure and why a further review of the confidentiality designation is not necessary. In the event that the Defendants agree a review of the confidentiality designations of the disclosed documents that remain in the Inner Confidentiality Ring, that review shall be completed

and the Claimants notified of the revised designation by 4pm on Friday 19 February 2021.

Further disclosure

3. Any applications for further disclosure in these proceedings may not (subject to a good reason being shown) be made later than 7 days after the service by the Claimants of any Amended Reply pursuant to paragraph 1(c) above (or the Claimants indicating that they do not intend to serve an Amended Reply).

Skeletons

4. Skeleton arguments for trial be filed and exchanged by 4pm on 20 December 2021.

Trial

5. The trial be listed to commence on 12 January 2022 with an estimate of 10 weeks (including 5 days pre-reading and Fridays being non-sitting days).

Miscellaneous

6. Costs in the case.
7. Liberty to apply.

The Hon Mr Justice Jacobs
Chairman of the Competition Appeal Tribunal

Made: 11 January 2021
Drawn: 19 January 2021