



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1339/7/7/20

BETWEEN:

MARK McLAREN CLASS REPRESENTATIVE LIMITED

Applicant/
Proposed Class Representative

- v -

- (1) MOL (EUROPE AFRICA) LTD
- (2) MITSUI O.S.K. LINES LIMITED
- (3) NISSAN MOTOR CAR CARRIER CO. LTD
- (4) KAWASAKI KISEN KAISHA LTD
- (5) NIPPON YUSEN KABUSHIKI KAISHA
- (6) WALLENIUS WILHELMSSEN OCEAN AS
- (7) EUKOR CAR CARRIERS INC
- (8) WALLENIUS LOGISTICS AB
- (9) WILHELMSSEN SHIPS HOLDING MALTA LIMITED
- (10) WALLENIUS LINES AB
- (11) WALLENIUS WILHELMSSEN ASA
- (12) COMPANIA SUDAMERICANA DE VAPORES S.A.

Respondents/
Proposed Defendants

ORDER

UPON the Tribunal's Order made on 19 March 2021 listing a pre-hearing review to be heard on 8 October 2021

AND UPON the issues between the parties to be determined at the pre-hearing review being limited to: (i) whether there should be cross-examination of witnesses and experts at the CPO application hearing listed for 29 November to 1 December 2021; and (ii) the length of skeleton arguments for the CPO application hearing (the "**Outstanding Issues**")

AND UPON an exchange of correspondence between the parties and the Tribunal on 27 September 2021 regarding the means of resolving the Outstanding Issues

IT IS ORDERED THAT:

1. The pre-hearing review listed for 8 October 2021 shall be vacated.
2. The parties shall use best endeavours to agree the Outstanding Issues between them.
3. If the parties are unable to reach an agreement in relation to the Outstanding Issues, the parties shall file and exchange written submissions addressing the Outstanding Issues by 4pm on 7 October 2021. Those written submissions shall not exceed 5 pages.
4. Costs in the CPO application.

The Hon Mrs Justice Falk
Chairwoman of the Competition Appeal Tribunal

Made: 5 October 2021
Drawn: 5 October 2021