



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1351/5/7/20

BETWEEN:

- (1) CHURCHILL GOWNS LIMITED**
(2) STUDENT GOWNS LIMITED

Claimants

- v -

- (1) EDE & RAVENSCROFT LIMITED**
(2) RADCLIFFE & TAYLOR LIMITED
(3) WM. NORTHAM & COMPANY LIMITED
(4) IRISH LEGAL AND ACADEMIC LIMITED

Defendants

ORDER

UPON paragraph 5 of the Tribunal's order made on 12 January 2021 directing approved budgeting costs for the parties ("the Costs Management Order")

AND UPON the Defendants' application dated 17 August 2021 seeking to vary paragraph 5(c) of the Costs Management Order ("the Costs Management Application")

AND UPON the Defendants' application dated 30 September 2021 in respect of certain allegations contained in the Claimants' witness evidence ("the New Allegations Application")

AND UPON considering the Claimants' Response to the Defendants' Costs Management Application dated 7 October 2021

AND UPON considering the parties' skeleton arguments including the Defendants' spreadsheet of incurred and future costs exceeding the Defendants' budget attached to the Defendants' skeleton argument ("the Costs Spreadsheet")

AND UPON hearing Counsel for the parties at a hearing held remotely on 22 October 2021

AND UPON the parties agreeing that in relation to the Defendants' incurred costs exceeding the Defendants' budget shown on the Costs Spreadsheet, the right of both parties to make detailed submissions regarding such incurred costs shall be reserved to be heard at a Detailed Assessment Hearing

IT IS ORDERED THAT:

Costs Management

1. Paragraph 5(c) of the Costs Management Order is varied such that the Defendants shall be permitted to revise their budget in respect of future costs only for the phases as follows:
 - (a) In respect of the Disclosure phase, an increase of £4,940;
 - (b) In respect of the Expert phase, an increase of £37,603;
 - (c) In respect of the Trial Preparation phase, an increase of £15,000; and
 - (d) In respect of the Trial phase, an increase of £2,750.
2. Save as provided by paragraph 1 above, the Defendants' Cost Management Application that their budget be revised in respect of future costs is refused in relation to all other phases of the litigation.
3. In relation to the Defendants' incurred costs exceeding the budget shown on the Costs Spreadsheet, the right of both parties to make detailed submissions regarding such incurred costs shall be reserved to be heard at a Detailed Assessment Hearing.
4. The Defendants shall pay 30% of the Claimants' costs from 11 August 2021 of and in connection with the Costs Management Application.
5. Subject to paragraph 4 above, costs of and in connection with the Costs Management Application shall be costs in the case.

The Defendants' New Allegations Application

6. The Defendants shall file and serve written submissions in respect of the New Allegations Application by 4pm on 29 October 2021.
7. The Claimants shall file and serve any written submissions in response by 4pm on 5 November 2021.
8. The Defendants shall file and serve any written submissions in reply by 4pm on 12 November 2021.

Miscellaneous

9. There be liberty to apply.

The Hon Mr Justice Zacaroli
Chairman of the Competition Appeal Tribunal

Made: 22 October 2021
Drawn: 27 October 2021