



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1338/5/7/20 (T)

BETWEEN:

ADNAMS PLC AND OTHERS

Claimants

- and -

- (1) DAF TRUCKS LIMITED
- (2) DAF TRUCKS N.V.
- (3) DAF TRUCKS DEUTSCHLAND GMBH
- (4) PACCAR INC.
- (5) PACCAR FINANCIAL PLC
- (6) MAN SE
- (7) MAN TRUCK & BUS DEUTSCHLAND GMBH
- (8) MAN TRUCK & BUS UK LIMITED
- (9) MAN TRUCK & BUS SE (FORMERLY MAN TRUCK & BUS AG)
- (10) AB VOLVO (PUBL)
- (11) VOLVO LASTVAGNAR AB
- (12) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH
- (13) VOLVO GROUP UK LIMITED
- (14) RENAULT TRUCKS SAS
- (15) RENAULT TRUCKS COMMERCIALS LIMITED
- (16) DAIMLER AG
- (17) MERCEDES-BENZ CARS UK LIMITED
- (18) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES N.V.)
- (19) CNH INDUSTRIAL N.V.
- (20) IVECO S.P.A.
- (21) IVECO MAGIRUS AG
- (22) IVECO LIMITED
- (26) LEYLAND TRUCKS LIMITED

Defendants

- and -

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

Third Parties

CONSENT ORDER

UPON the Sixth Defendant, as the transferring legal entity, being merged into TRATON SE, as the acquiring legal entity, by registration in the commercial register at the Munich Local Court (Amtsgericht) (HRB 246068) on 31 August 2021, and TRATON SE being the universal legal successor to the Sixth Defendant (the latter of which having ceased to exist as an independent legal entity)

AND UPON the application by TRATON SE by its solicitors dated 10 December 2021 for it to be substituted for MAN SE in the proceedings pursuant to Rule 38(1) of the Tribunal Rules

AND UPON TRATON SE and the parties other than the Sixth Defendant agreeing the terms of the order as set out below

BY CONSENT IT IS ORDERED THAT:

1. TRATON SE (commercial register number: HRB 246068) is substituted for MAN SE (commercial register number: HRB 179426) as the Sixth Defendant in the proceedings.
2. The Claimants shall file an amended Claim Form and Particulars of Claim to reflect the substitution of TRATON SE for MAN SE.
3. TRATON SE and the Seventh to Ninth Defendants shall, no later than 28 days after receipt of the amended Claim Form and Particulars of Claim, if so advised file an amended Defence to reflect the substitution of TRATON SE for MAN SE.
4. The First to Fifth and Twenty-Sixth Defendants shall, within 28 days of receipt of the amended Particulars of Claim, if so advised file an amended CPR 20.6 Contribution Notice to reflect the substitution of TRATON SE for MAN SE.
5. The Eighteenth to Twenty-Second Defendants shall, within 28 days of receipt of the amended Particulars of Claim, if so advised file an amended CPR 20.6 Notice of Additional Claim to reflect the substitution of TRATON SE for MAN SE.
6. TRATON SE and the Seventh to Ninth Defendants shall, no later than 28 days after receipt of each of the amended CPR 20.6 Contribution Notice of the First to Fifth and Twenty-Sixth Defendants and the amended CPR 20.6 Notice of Additional Claim of the Eighteenth to Twenty-Second Defendants, if so advised file and serve any Defences to those amended Notices.
7. In respect of paragraphs 2 to 6 of this order above, the relevant parties are permitted to dispense with the formalities of serving each of the aforementioned amended statements of case on the other parties, but shall email the same to the representatives of the other parties within one day of filing.

8. The reasonable costs of amending the Claim Form and Particulars of Claim shall be borne by TRATON SE.
9. The parties shall have liberty to apply.

The Hon Mr Justice Roth
Chairman of the Competition Appeal Tribunal

Made: 15 December 2021
Drawn: 15 December 2021