



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1296/5/7/18

BETWEEN:

- (1) ARLA FOODS AMBA
- (2) ARLA FOODS LIMITED
- (3) ARLA FOODS UK SERVICES LIMITED
- (4) MD FOODS AMBA
- (5) ARLA FOODS DISTRIBUTION A/S
- (6) ARLA, EKONOMISK FÖRENING
- (7) ARLA FOODS AB
- (8) MUH ARLA EG
- (9) ARLA FOODS LOGISTICS GMBH

Claimants

- and -

- (1) STELLANTIS N.V. (FORMERLY FIAT CHRYSLER AUTOMOBILES N.V.)
- (2) CNH INDUSTRIAL N.V.

Defendants/Rule 39 Claimants

- (1) MAN SE
- (2) MAN TRUCK & BUS SE (FORMERLY MAN TRUCK & BUS AG)
- (3) MAN TRUCK & BUS DEUTSCHLAND GMBH
- (4) AKTIEBOLAG VOLVO (PUBL)
- (5) VOLVO LASTVAGNAR AKTIEBOLAG
- (6) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH
- (7) RENAULT TRUCKS SAS
- (8) PACCAR INC
- (9) DAF TRUCKS DEUTSCHLAND GMBH
- (10) DAF TRUCKS NV
- (11) DAIMLER AG
- (12) SCANIA AKTIEBOLAG (PUBL)
- (13) SCANIA CV AKTIEBOLAG (PUBL)
- (14) SCANIA DEUTSCHLAND GMBH

Rule 39 Defendants

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**CONSENT ORDER**

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**UPON** the First Rule 39 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 First Rule 39 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 28 January 2022 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 First Rule 39 Defendant agreeing the terms of the order as set out below

**IT IS ORDERED BY CONSENT THAT:**

1. TRATON SE (commercial register number: HRB 246068) is substituted for MAN SE (commercial register number: HRB 179426) as the First Rule 39 Defendant in the proceedings.
2. The First and Second Defendants shall, if so advised, file an amended Rule 39 Additional Claim to reflect the substitution of TRATON SE for MAN SE.
3. TRATON SE and the Second and Third Rule 39 Defendants shall, no later than 28 days after receipt of the amended Rule 39 Additional Claim, if so advised, file an amended Defence to reflect the substitution of TRATON SE for MAN SE.
4. In respect of paragraphs 2 and 3 of this order above, the relevant parties are permitted to dispense with the formalities of serving 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.
5. The parties shall have liberty to apply.

**Hodge Malek QC**  
Chairman of the Competition Appeal Tribunal

Made: 9 February 2022  
Drawn: 9 February 2022