

**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS  
OF ENGLAND AND WALES  
COMMERCIAL COURT (QBD)**

**Before Mrs Justice Cockerill DBE**

**Dated this 1 day of February 2022**

**B E T W E E N**

**(1)-(138) ADUR DISTRICT COUNCIL  
AND OTHERS**



**CL-2020-000761**

**Claimants**

**- and -**

- (1) TRATON SE (substituted for MAN SE)**
- (2) MAN TRUCK & BUS SE (FORMERLY MAN TRUCK & BUS AG)**
- (3) MAN TRUCK & BUS DEUTSCHLAND GMBH**
- (4) AB VOLVO (PUBL)**
- (5) VOLVO LASTVAGNAR AKTIEBOLAG**
- (6) VOLVO GROUP TRUCKS CENTRAL EUROPE GMBH**
- (7) RENAULT TRUCKS SAS**
- (8) DAIMLER AG**
- (9) STELLANTIS N.V. (formerly FIAT CHRYSLER AUTOMOBILES N.V.)**
- (10) CNH INDUSTRIAL N.V.**
- (11) IVECO S.p.A**
- (12) IVECO MAGIRUS AG**
- (13) PACCAR INC**
- (14) DAF TRUCKS N.V.**
- (15) DAF TRUCKS DEUTSCHLAND GMBH**

**Defendants**

**- and -**

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

**Third parties**

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**CONSENT ORDER**

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**UPON** MAN SE, formerly the First Defendant in these proceedings, 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 MAN SE (the latter of which having ceased to exist as an independent legal entity)

**AND UPON** the Order of Mrs Justice Moulder dated 17 January 2022 substituting TRATON SE for MAN SE as the First Defendant in these proceedings

**AND UPON** the parties having agreed to the terms of this Order

**IT IS ORDERED BY CONSENT** that

1. The claim be transferred to the Competition Appeal Tribunal (*Tribunal*) immediately.
2. Neither this Order giving effect to the said transfer, nor the transfer itself, is intended to alter, limit or exclude in any respect any element of the Claimants' claim as constituted in this court prior to the transfer taking effect. If and to the extent that any element of the Claimants' claim as constituted in this court prior to the transfer taking effect is not capable of falling within the jurisdiction of the Tribunal on a transfer, or would be altered, limited or excluded by this Order or the transfer, it is not subject to this Order and remains within the jurisdiction of this court.
3. The proceedings were and shall continue to be regarded as having been commenced in this court. Any further statements of case or amendments to a statement of case shall be made in accordance with the Civil Procedure Rules and not with the CAT Rules 2015.
4. Any appeal to the Court of Appeal against the determination by the Tribunal of the issues transferred or an order of the court giving effect to that determination shall be governed by the rules in CPR Part 52.
5. This court may give such further directions or make such further orders as it thinks fit in connection with the transfer and/or with any such element as referred to above.
6. The parties have liberty to apply for further variations to this Order.

7. The parties have liberty to apply.

8. This Order shall be served by the Fourth to Seventh Defendants on the Claimants.