



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

Case No: 1343/5/7/20 (T)

**BETWEEN**

- (1) DS SMITH PAPER LIMITED
- (2) DS SMITH LOGISTICS LIMITED
- (3) DS SMITH PACKAGING LIMITED
- (4) DS SMITH CORRUGATED PACKAGING LIMITED
- (5) DS SMITH (UK) LIMITED
- (6) DS SMITH RECYCLING UK LIMITED

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 AB
- (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 ACTIEBOLAG (PUBL)
- (3) SCANIA DEUTSCHLAND GMBH

Third Parties

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**CONSENT ORDER**

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

**AND UPON** TRATON SE being substituted for MAN SE in these proceedings pursuant to the Order of the Honourable Mr Justice Roth dated 15 December 2021

**AND UPON** the Thirteenth to Fifteenth Defendants (together “**DAF**”) having made an additional claim for contribution or indemnity against MAN SE pursuant to Part 20.6 of the Civil Procedure Rules on or around 17 February 2020 (“**DAF’s Additional Claim against MAN SE**”)

**BY CONSENT IS ORDERED THAT**

1. DAF’s Additional Claim against MAN SE is deemed to be made against TRATON SE. In relation to DAF’s Additional Claim TRATON SE is hereby substituted for MAN SE.
2. In the event that DAF amends its Additional Claim against MAN SE (now TRATON SE) after the date of this Order, DAF shall amend those claims to reflect paragraph 1 of this Order.
3. Costs in the case.
4. Liberty to apply.

**The Hon Mr Justice Roth**  
Chairman of the Competition Appeal Tribunal

Made: 24 March 2022  
Drawn: 24 March 2022