



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1507/5/7/22 (T)

BETWEEN:

OCADO HOLDINGS LIMITED

Claimant

- v -

(1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE S.A.

Defendants

ORDER

UPON the Claimant commencing proceedings by way of a Part 7 Claim Form on 12 December 2014

AND UPON the Order of the Chancellor of the High Court dated 7 April 2022 (as amended pursuant to the slip rule) transferring the cases listed in the schedule to that order to the Tribunal, including these proceedings

AND UPON the Order of the President of the Competition Appeal Tribunal dated 4 July 2022 designating the Claimant as an "Umbrella Interchange Fee Claimant" in Case 1517/11/7/22 (UM) (the "**Merchant Interchange Fee Umbrella Proceedings**")

AND UPON the Ruling of the President in Cases 1306-1325, 1349-1350, 1369, 1373-1374, 1376, 1383-1400, 1406 (the "**Interchange Fee Proceedings**") ([2022] CAT 14) dated 16 March 2022

AND UPON the Parties agreeing to the terms set out in paragraph 4 of the Order of the President in the Interchange Fee Proceedings dated 16 March 2022 (the "**Order**")

AND UPON the application to the Tribunal from Mishcon de Reya LLP by letter dated 8 July 2022 (and enclosures, including a draft consent order signed by the parties' respective legal representatives) seeking a stay of the Claimant's claim

AND UPON the Claimant and the Defendants by their respective legal representatives having agreed to the terms of this Order

BY CONSENT IT IS ORDERED THAT:

1. Pursuant to Rule 53(2)(k) of the Competition Appeal Tribunal Rules 2015, the Claimant's claim in these proceedings shall be stayed until 30 December 2022.
2. Notwithstanding the Stay, in accordance with the terms set out in paragraph 4 of the Order, a party in the Merchant Interchange Fee Umbrella Proceedings may make an application for the Claimant to provide information or disclosure on the condition that the Tribunal considers such information or disclosure strictly necessary to resolve a wider issue in the Merchant Interchange Fee Umbrella Proceedings.
3. Within 14 days of the expiry of the stay, the Claimant shall file agreed directions for further management of the claim subject to the Competition Appeal Tribunal's approval, or in the absence of agreed directions, the Claimant shall request a Case Management Conference with a time estimate of one hour on a date mutually convenient to the parties' legal representatives.
4. There be permission to the parties to apply to lift the stay of proceedings upon 14 days written notice.
 - a. Such notice is to be served by email:
 - i. on the Claimant to sarah.houghton@mishcon.com and gwen.ballin-reeler@mishcon.com (or to any alternative that is notified in writing to the Defendants); and
 - ii. on the Defendants to ncotter@jonesday.com, sbatley@jonesday.com and rwarke@jonesday.com (or any alternative that is notified in writing to the Claimant).
 - b. Such notice under paragraph 4 shall take effect on the day that it is sent.
5. The costs of this order will be in the case.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 13 July 2022
Drawn: 13 July 2022