



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1484/5/7/22 (T)

BETWEEN:

MCMULLEN & SONS, LIMITED

Claimant

- v -

(1) VISA EUROPE LIMITED
(2) VISA EUROPE SERVICES LLC
(3) VISA UK LIMITED

Defendants

(the “McMullen & Sons Interchange Proceedings”)

ORDER

UPON the Claimant commencing proceedings by way of a Part 7 Claim Form on 27 May 2021

AND UPON the joint letter to the High Court from Mishcon de Reya LLP, Linklaters LLP and Milbank LLP dated 12 January 2022

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 Competition Appeal Tribunal (the “**Tribunal**”), including the McMullen & Sons Interchange Proceedings

AND UPON reading the letter to the Tribunal from Mishcon de Reya LLP dated 12 July 2022 seeking an extension of the time for service pursuant to Rule 53(2)(j) of the Competition Appeal Tribunal Rules 2015 in respect of the McMullen & Sons Interchange Proceedings issued in the High Court but yet to be served (the “**Application**”), in which it is recorded that the Defendants consent to the Application

AND UPON the letter from the Tribunal to Mishcon de Reya LLP dated 19 May 2022

BY CONSENT IT IS ORDERED THAT:

1. There be an extension of the time for service of the claim form (the "**Extension**") until 31 October 2022 (the "**Deadline**").
2. There be permission to terminate the Extension on 30 days' written notice by either the Claimant or the Defendants. Accordingly, the claim form must (unless otherwise agreed in writing) be served on the Defendants before the earlier of (i) the Deadline; and (ii) the date falling 30 days after service of the written notice to terminate the Extension.
3. 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 tom.cassels@linklaters.com, sarina.williams@linklaters.com, [Linklaters Interchange@linklaters.com](mailto:Linklaters_Interchange@linklaters.com), jstait@milbank.com, calexander@milbank.com and MilbankInterchange@milbank.com (or to any alternative that is notified in writing to the Claimant).
4. Such notice under paragraph 2 shall take effect on the day that it is sent.
5. The claim form shall be served in accordance with the Civil Procedure Rules 1998 and the Tribunal's letter of 19 May 2022.
6. The costs of this order will be in the case.
7. The parties shall have liberty to apply to the Tribunal.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 14 July 2022
Drawn: 14 July 2022