



COMPETITION APPEAL TRIBUNAL

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1029/5/7/04

**Before:
Sir Christopher Bellamy (President)
Professor Andrew Bain
Marion Simmons QC**

DEANS FOODS LIMITED

Claimant

-and-

**(1) ROCHE PRODUCTS LIMITED
(2) F HOFFMAN – LA ROCHE AG
(3) AVENTIS SA**

Defendants

ORDER OF THE PRESIDENT

UPON reading the claim form filed by the claimants in the above proceedings

AND UPON noting that two of the defendants named in the claim form appear to be domiciled outside the jurisdiction

IT IS ORDERED THAT:

1. Pursuant to Rule 63(3) of the Competition Appeal Tribunal Rules 2003 (“Tribunal Rules”), the claimants shall serve the claim form on F Hoffman-La Roche AG and Aventis SA by any method permissible by Part 6 of the Civil Procedure Rules (“CPR”) in respect of defendants domiciled outside the jurisdiction.

2. Service of the claim form in accordance with the above paragraph shall also include service of the Tribunal's form of acknowledgment of service and a copy of this order on each relevant defendant.
3. Where service takes place outside the jurisdiction, the periods for acknowledging service and filing a defence which are set out in Rule 36 of the Tribunal Rules shall be varied so as to accord with the periods applicable under the CPR and the claimants shall draw the attention of the relevant defendant to that fact.
4. The claimants shall notify the Tribunal of:
 - i. the method by which service has been effected on the relevant defendant
 - ii. the date of deemed service
 - iii. the periods for acknowledging service and filing a defence.
5. There shall be liberty to apply.

Sir Christopher Bellamy
President of the Competition Appeal Tribunal

Made 27 February 2004
Drawn 27 February 2004