



COMPETITION APPEAL TRIBUNAL

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1013/1/1/03 (IR)

**Sir Christopher Bellamy
(President)**

GENZYME LIMITED (“Genzyme”)

Applicant

-and-

THE OFFICE OF FAIR TRADING (“OFT”)

Respondent

Supported by

HEALTHCARE AT HOME LIMITED (“HH”)

Intervener

ORDER OF THE PRESIDENT

UPON reading the witness statement dated 30 April 2003 of Charles Walsh, Chairman of HH (“the Witness Statement”)

AND UPON Genzyme requesting at an oral hearing before the Tribunal on 1 May 2003 that the witness statement be disclosed to the external legal advisers of Genzyme and to the in-house counsel of Genzyme Corporation, Ms Elizabeth Ann McMorrow

AND UPON hearing the submissions of Genzyme’s legal representatives that Ms McMorrow is a United States attorney of ten years’ standing with extensive experience in the commercial sector, and has been subjected to many administrative and judicial confidentiality protective orders, and is a member of, and subject to the disciplinary arrangements of the Bars of New York, Massachusetts, Washington D.C. and Connecticut

AND UPON hearing the submissions of Genzyme's legal representatives that any breach of the disciplinary arrangements of the above mentioned Bars could lead to her suspension or disbarment

AND UPON hearing oral submissions from the legal representatives of the OFT and of HH

IT IS ORDERED THAT:

1. Upon Ms McMorrow undertaking that the above mentioned submissions of Genzyme legal representatives are correct and that any information in the Witness Statement for which confidentiality has been claimed will not be disclosed to any other person without the permission of the Tribunal, and will be used solely for the purpose of these proceedings, a copy of the Witness Statement shall be disclosed to Ms McMorrow.
2. No copy of the Witness Statement shall be passed on to Genzyme Corporation.
3. No copy of the Witness Statement shall be retained by Ms McMorrow following the conclusion of the oral hearing commenced on 1 May 2003.

Sir Christopher Bellamy
President of the Competition Appeal Tribunal

Made 1 May 2003
Drawn 2 May 2003