



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

Case No: 1077/5/7/07

**BETWEEN:**

**(1) EMERSON ELECTRIC CO.**  
**(2) VALEO SA**

Claimants

-v-

**(1) MORGAN ADVANCED MATERIALS PLC**  
**(sued as MORGAN CRUCIBLE COMPANY PLC)**

Defendant

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**ORDER**

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**UPON** reading the Claimants' written observations, dated 8 May 2014, in advance of the case management conference listed for 13 May 2014

**AND UPON** reading the relevant correspondence between the parties' solicitors

**AND UPON** the parties having agreed case management directions

**IT IS ORDERED THAT:**

1. The case management conference listed for 13 May 2014 be vacated
2. The issue set out at paragraphs 35 and 36 of the Amended Defence (the “US Settlement Issue”) be heard as a preliminary issue
3. By 5pm on 20 May 2014, the Claimants and Defendant make any requests for further disclosure
4. By 5pm on 16 June 2014, the Defendant file and serve its submissions and any accompanying factual evidence on the preliminary issue
5. A case management conference be listed for 4 July 2014 to determine any issues arising from the further disclosure requests set out at paragraphs 3 above, if not agreed
6. By 5pm on 14 July 2014, the Claimants file and serve their submissions and any accompanying factual evidence on the preliminary issue
7. By 5pm on 28 July 2014, the Defendant, if so advised, file and serve any reply submissions in relation to the preliminary issue
8. Seven days before the hearing of the preliminary issue, the Claimants and Defendant file and serve skeleton arguments
9. The hearing of the preliminary issue be listed for a two day hearing on the first available date after 8 September 2014
10. Following the Tribunal’s ruling on the preliminary issue, a further case management conference be listed on the first available date, to determine the timetable to trial and any other issues
11. Costs be in the case

12. There be liberty to apply

**Marcus Smith QC**  
Chairman of the Competition Appeal Tribunal

Made: 13 May 2014  
Drawn: 13 May 2014