



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

Case No: 1077/5/7/07

**BETWEEN:**

**(1) EMERSON ELECTRIC CO.**  
**(2) VALEO SA**  
**(3) ROBERT BOSCH GmbH**

Claimants

-v-

**(1) MORGAN CRUCIBLE COMPANY PLC**  
**(2) SCHUNK GmbH**  
**(3) SCHUNK KOHLENSTOFFTECHNIK GmbH**  
**(4) SGL CARBON AG**  
**(5) MERSEN (sued as LE CARBONE LORRAINE SA)**  
**(6) MERSEN UK PORTSLADE LIMITED**  
**(sued as LE CARBONE (GREAT BRITAIN) LIMITED)**

Defendants

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**AMENDED ORDER**

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**UPON** Mersen informing the Tribunal, by letter dated 12 November 2010, that it has agreed with the Claimants the wording of a draft order extending time for (1) Mersen to file any application disputing the Tribunal's jurisdiction to try the claim brought by Robert Bosch GmbH and (2) Mersen to file its defence to the claim of each of the Claimants, and attaching to the said letter a draft of the proposed order signed on behalf of Mersen and the Claimants

**AND UPON** there being no objections to the grant of these extensions

**AND UPON** considering the Tribunal's power to give directions as to the extension of any time limit contained in rule 19(2)(i) of the Competition Appeal Tribunal Rules 2003 (S.I. 1372 of 2003)

**IT IS ORDERED THAT:**

1. The time for Mersen to make any application challenging the jurisdiction of the Tribunal in relation to the claim by Robert Bosch GmbH be extended until 14 days after the final determination (including any appeals) of the application of Mersen UK Portslade Ltd dated 13 September 2010.

2. Without prejudice to its right to challenge the Tribunal's jurisdiction, time be extended for Mersen to file its defence to each claim until 28 days after the later of the final determination (including any appeals) of:-
  - (i) Mersen UK Portslade Ltd's application dated 13 September 2010; and
  - (ii) any application that Mersen makes challenging the Tribunal's jurisdiction in relation to the claim by Robert Bosch GmbH.
3. Liberty to apply.

**The Honourable Mr Justice Barling**  
President of the Competition Appeal Tribunal

Made: 15 November 2010  
Amended: 17 November 2010  
Drawn: 15 November 2010  
Re-drawn: 17 November 2010