

THURSDAY 13TH SEPTEMBER 2012

**IN THE COURT OF APPEAL**

ON APPEAL FROM THE COMPETITION APPEAL TRIBUNAL

1180/3/3/11  
1181/3/3/11  
1182/3/3/11  
1183/3/3/11

BEFORE LORD JUSTICE RIMER

BETWEEN

EVERYTHING EVERYWHERE LIMITED

APPLICANT

- and -

OFFICE OF COMMUNICATIONS

1<sup>ST</sup> RESPONDENT

- and -

BRITISH TELECOMMUNICATIONS PLC

2<sup>ND</sup> RESPONDENT

- and -

HUTCHISON 3G (UK) LIMITED

3<sup>RD</sup> RESPONDENT

- and -

VODAFONE LIMITED

4<sup>TH</sup> RESPONDENT

- and -

COMPETITION COMMISSION

5<sup>TH</sup> RESPONDENT

- and -

TELEFONICA UK LIMITED

6<sup>TH</sup> RESPONDENT

ON READING the Appellant's Notice sealed on the 20th June 2012 filed on behalf of the Applicant applying for permission to appeal on the additional Grounds 1-3 against the order of The Competition Appeal Tribunal dated 8th May 2012

AND ON HEARING Mr Jon Turner QC and Mr Julian Gregory of counsel for the Applicant, Mr Robert Palmer of counsel for the Second Respondent, Mr Richard Pike of counsel for the Third Respondent and Mr Nicholas Gibson of counsel for the Fifth Respondent.

IT IS ORDERED that

1. The Applicant's application for permission to appeal on the additional

Her Majesty's  
Court of Appeal

- 4 OCT 2012

COURT 75  
Application No.

C3/2012/1523(Y)



Grounds 1-3 be granted

2. The Appeal hearing, with a time estimate of three days, be expedited and heard no later than 31<sup>st</sup> January 2013.
3. The Appeal be heard by three Lords/Lady Justices of whom at least one Lord/Lady Justice is to have competition law expertise.
4. All solicitors are to liaise with the Listing Officer within seven days of this order with a view to fixing a hearing date.
5. In the case of respondents who attended the present application, any Respondent's Notice be filed within 14 days of this order
6. In the case of any respondent who did not attend the present application, any Respondent's Notice be filed within 14 days from receipt of this order.



[The Court Sat from 14:03 to 15:54]

*By the Court*

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**BRITISH TELECOMMUNICATIONS PLC**

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**HUTCHISON 3G (UK) LIMITED**

- and -

**VODAFONE LIMITED**

- and -

**COMPETITION COMMISSION**

- and -

**TELEFONICA UK LIMITED**

**ORDER**

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\* This order was drawn by Mr J Hebden (Associate) to whom all enquiries regarding this order should be made. When communicating with the Court please address correspondence to Mr J Hebden, Civil Appeals Office, Room E307, Royal Courts of Justice, Strand, London WC2A 2LL (DX 44450 Strand) and quote the Court of Appeal reference number. The Associate's telephone number is 020 7947 7896

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