



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No.: 1216/4/8/13

B E T W E E N

GROUPE EUROTUNNEL S.A.

Applicant

-v-

COMPETITION COMMISSION

Respondent

- and -

**THE SOCIÉTÉ COOPÉRATIVE DE PRODUCTION SEA FRANCE S.A.
DFDS A/S**

Interveners

Case No.: 1217/4/8/13

THE SOCIÉTÉ COOPÉRATIVE DE PRODUCTION SEA FRANCE S.A.

Applicant

-v-

COMPETITION COMMISSION

Respondent

ORDER

UPON reading the Notices of Application for review of a decision made by the Competition Commission on 6 June 2013 lodged under rule 8 of the Competition Appeal Tribunal Rules 2003 (S.I. No. 1372 of 2003) (the “Tribunal Rules”) (the “Decision”) by:

- (1) Groupe Eurotunnel S.A. (“GET”) on 18 June 2013 in Case No. 1216/4/8/13 (the “GET Application”)
- (2) the Société Coopérative de Production Sea France S.A. (the “SCOP”) on 3 July 2013 in Case No. 1217/4/8/13 (the “SCOP Application”)

AND UPON hearing counsel for the parties, the SCOP and DFDS at a case management conference in the GET Application on 24 June 2013

AND UPON reading the order made by the Tribunal on 24 June 2013 in the GET Application

AND UPON reading the confidentiality ring order made by the Tribunal on 1 July 2013 in the GET Application

AND UPON reading the requests for permission to intervene in the SCOP Application made pursuant to rule 16 of the Tribunal Rules by:

(1) GET on 5 July 2013; and

(2) DFDS A/S (“DFDS”) on 8 July 2013

AND UPON the deadline for requests for permission to intervene having been abridged to 5pm on 9 July 2013 pursuant to an order made on 4 July 2013

IT IS ORDERED THAT:

Forum

1. Pursuant to rule 18 of the Tribunal Rules the proceedings be treated as proceedings in England and Wales.

Hearing of Appeals

2. The GET Application and the SCOP Application be heard together.
3. All evidence adduced and documents served in the SCOP Application may be used for the purposes of, and relied on in, the GET Application.
4. All evidence adduced and documents served in the GET Application may be used for the purposes of, and relied on in, the SCOP Application.

Interventions

5. As regards the requests for permission to intervene in the SCOP Application:
 - a. GET be granted permission to intervene in support of the SCOP; and
 - b. DFDS be granted permission to intervene in support of the Respondent.

Future Conduct of the Proceedings

6. GET file and serve its statement of intervention in the SCOP Application by 5pm on 11 July 2013.
7. The Respondent file and serve its defence(s), and any supporting evidence, in both the SCOP Application and the GET Application by 5pm on 26 July 2013.
8. DFDS file and serve a skeleton argument and statement of intervention in both the SCOP Application and the GET Application by 5pm on 31 July 2013.
9. The SCOP and GET file and serve skeleton arguments, incorporating any submissions in reply, in both the SCOP Application and the GET Application by 5pm on 2 September 2013.
10. The Respondent file and serve skeleton argument(s) in both the SCOP Application and the GET Application by 5pm on 5 September 2013.
11. A hearing be listed for 10 September 2013 with a time estimate of two days.
12. There be liberty to apply.

Marcus Smith QC
Chairman of the Competition Appeal Tribunal

Made: 10 July 2013
Drawn: 10 July 2013