



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1240/5/7/15

B E T W E E N:

DEUTSCHE BAHN AG AND OTHERS

Claimants

-v-

(1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE SPRL

Defendants

ORDER

UPON the Application of the First and Second Defendants dated 13 January 2016 and the Third Defendant dated 4 January 2016 to challenge the jurisdiction of the Tribunal (“the Jurisdiction Applications”)

AND UPON the Judgments handed down by the Tribunal in relation to the Jurisdiction Applications on 27 July 2016

BY THE CONSENT OF THE PARTIES IT IS ORDERED THAT:

1. The Claim be stayed until 14 days after the final outcome of the preliminary issue hearing listed to be heard in the High Court in Claims No. HC-2012-000196 *Deutsche Bahn & ors v MasterCard Inc. & ors* and HC-2014-000636 *Enterprise Rent-A-Car v MasterCard Inc. & ors* on 8-19 May 2017 in relation to applicable law and limitation.
2. Following lifting of the stay the Claimants to have 14 days to amend the Claim Form pursuant to Rule 32 of the Tribunal Rules including removal of any Claimants as advised.

3. The Parties to apply to the Tribunal for further case management directions within 14 days of service of the Amended Claim Form.
4. There be no order as to costs between the parties in relation to the Jurisdiction Applications or any costs arising from or incidental to the amendments to the Claim Form provided in paragraph 2, including in relation to the discontinuance by any Claimants.
5. There be liberty to apply.

Heriot Currie QC
Chairman of the Competition Appeal Tribunal

Made: 22 August 2016
Drawn: 22 August 2016