



**IN THE COMPETITION  
APPEAL TRIBUNAL**

Case No: 1285/10/12/18

BETWEEN

**ELECTRO RENT CORPORATION**

Appellant

-v-

**COMPETITION AND MARKETS AUTHORITY**

Respondent

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**ORDER**

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**UPON** reading the notice of appeal filed by Electro Rent Corporation (“**Electro Rent**”) on 6 July 2018 and served on the Competition and Markets Authority (“**CMA**”) on 9 July 2018, and the defence filed and served by the CMA on 30 July 2018

**AND UPON** reading the correspondence from Electro Rent and the CMA regarding case management directions

**AND UPON** a Case Management Conference scheduled for 1 August 2018 having been vacated in the light of agreements having been reached between the parties

**IT IS ORDERED THAT:**

**Forum**

1. The appeal be treated as proceedings in England and Wales.

**Pleadings**

2. By 5pm on 7 September 2018 Electro Rent shall file and serve a Reply (if so advised) and any supporting evidence.

### **Main hearing**

3. The main hearing in this appeal will commence on 24 October 2018 with a time estimate of two days.
4. Electro Rent has permission to cross-examine Mr Nasoul Gopal and Mr Simon Polito during the hearing.
5. The CMA has permission to cross-examine Mr Nigel Brown and Mr Howard Peterman during the hearing.

### **Hearing bundle and skeleton arguments**

6. The parties are to liaise with one another and with the Tribunal's Registry to agree the content and labelling of the hearing bundle. Six hard copies of the hearing bundle shall be prepared by Electro Rent and lodged at the Tribunal by 4pm on 1 October 2018.
7. Electro Rent shall file and serve a concise opening skeleton argument by 4pm on 8 October 2018.
8. The CMA shall file and serve a concise opening skeleton argument by 4pm on 15 October 2018.
9. Six hard copies of an agreed bundle of authorities are to be lodged by Electro Rent at the Tribunal by 4pm on 19 October 2018.

### **Costs**

10. The costs recoverable by Electro Rent in respect of the proceedings before the Tribunal shall be capped at £40,000 plus VAT.
11. The costs recoverable by the CMA in respect of the proceedings before the Tribunal shall be capped at £40,000 plus VAT.
12. There be liberty to apply.