

**IN THE COMPETITION
APPEAL TRIBUNAL**



Case No: 1301/6/12/18

BETWEEN

B&M EUROPEAN VALUE RETAIL S.A.

Applicant

-v-

COMPETITION AND MARKETS AUTHORITY

Respondent

ORDER

UPON reading the Notice of Application (“NoA”) filed by the Applicant on 21 December 2018

AND UPON hearing the parties at a hearing on 6 February 2019

AND UPON reading the application for permission to intervene from Tesco PLC (“Tesco”) dated 8 March 2019

AND UPON considering the submissions from the parties filed in advance of the case management conference on 25 March 2019 (the “CMC”)

AND UPON hearing counsel for the parties and Tesco at the CMC

AND HAVING REGARD TO the Tribunal’s case management powers under rule 19 of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 No. 1648)

IT IS ORDERED THAT:

1. The proceedings be treated as proceedings in England and Wales.
2. Tesco’s application for permission to intervene in support of the Respondent is refused.

3. The Respondent shall have liberty to disclose to Tesco the NoA, the witness statement of Mark Jones dated 19 December 2018, the witness statements of Paul McDonald dated 20 December 2018 and 25 January 2019, the Applicant's skeleton argument dated 31 January 2019, and any other documents forming part of the NoA Bundle or the Supplemental Bundle for the hearing on 6 February 2019 (in addition to the Respondent's own pleadings, submissions and evidence).
4. The Respondent shall, if so advised, file and serve any evidence from Tesco on which it intends to rely by 5pm on Monday 8 April 2019.
5. The Applicant shall, if so advised, file and serve its Reply to the Respondent's Defence by 5pm on Monday 8 April 2019.
6. The parties shall agree any supplementary hearing bundle to be lodged by the Applicant by 5pm on Monday 15 April 2019.
7. The Applicant shall file and serve its skeleton argument and, if so advised, any evidence in reply to any evidence filed in accordance with paragraph 4 above by 5pm on Tuesday 30 April 2019.
8. The Respondent shall file and serve its skeleton argument by 5pm on Tuesday 7 May 2019.
9. The Applicant shall file an agreed bundle of authorities and an agreed indicative timetable for the hearing by 5pm on Friday 10 May 2019.
10. A hearing to be listed for 14 and 15 May 2019 with a time estimate of two days.
11. Costs be reserved.

The Honourable Mr Justice Morris
Chairman of the Competition Appeal Tribunal

Made: 25 March 2019
Drawn: 28 March 2019