



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1347/5/7/20

BETWEEN:

- (1) JAGUAR LAND ROVER LTD
- (2) JAGUAR E LAND ROVER BRASIL INDÚSTRIA E COMÉRCIO DE VEÍCULOS LTDA
- (3) JAGUAR LAND ROVER (CHINA) INVESTMENT CO., LTD.
- (4) JAGUAR LAND ROVER (SOUTH AFRICA) (PTY) LIMITED
- (5) JAGUAR LAND ROVER AUSTRALIA PTY LTD
- (6) JAGUAR LAND ROVER AUSTRIA GMBH
- (7) JAGUAR LAND ROVER BELUX NV
- (8) JAGUAR LAND ROVER CANADA, ULC
- (9) JAGUAR LAND ROVER CLASSIC DEUTSCHLAND GMBH
- (10) JAGUAR LAND ROVER ESPANA SL
- (11) JAGUAR LAND ROVER FRANCE S.A.S.
- (12) JAGUAR LAND ROVER ITALIA SPA
- (13) JAGUAR LAND ROVER JAPAN LIMITED
- (14) JAGUAR LAND ROVER KOREA CO., LTD
- (15) JAGUAR LAND ROVER NEDERLAND BV
- (16) JAGUAR LAND ROVER NORTH AMERICA, LLC
- (17) JAGUAR LAND ROVER PORTUGAL-VEICULOS E PECAS, LDA
- (18) LIMITED LIABILITY COMPANY "JAGUAR LAND ROVER" (RUSSIA)

Claimants

- v -

- (1) MOL (EUROPE AFRICA) LTD
- (2) WALLENIIUS WILHELMSSEN ASA
- (3) WALLENIIUSREDERIERNA AB
- (4) WALLENIIUS WILHELMSSEN OCEAN AS
- (5) WALLENIIUS LOGISTICS AB
- (6) WILHELMSSEN SHIPS HOLDING MALTA LTD
- (7) EUKOR CAR CARRIERS INC.
- (8) KAWASAKI KISEN KAISHA, LTD.
- (9) COMPANIA SUDAMERICANA DE VAPORES S.A.

Defendants

ORDER

UPON the Claimants having issued Case No: 1347/5/7/20 on 30 April 2020 (the “**Claim**”)

AND UPON the Tribunal’s directions made on 4 May 2020 permitting the Claimants to serve the Claim on the Second to Sixth Defendants

AND UPON the Tribunal’s Order made on 20 May 2020 permitting the Claimants to serve the Claim on the Seventh Defendant outside the jurisdiction

AND UPON the Claimants and the Second to Seventh Defendants by their solicitors consenting to the terms of this order.

BY CONSENT IT IS ORDERED THAT:

1. The Claimants shall serve the Claim on the Second to Seventh Defendants by email at the following address: matthew.levitt@bakerbotts.com, within 5 days of the making of this Order. The Second to Seventh Defendants shall be treated for all purposes as if they had been served at their respective addresses as set out in the Claim. For the avoidance of doubt, the Seventh Defendant shall be treated as having been served outside of the jurisdiction.
2. The Claim against the Second to Seventh Defendants shall be stayed for a period of four months from the date on which the Claim is served on the Second to Seventh Defendants in accordance with paragraph 1 above.
3. The Second to Seventh Defendants shall file and serve their Acknowledgement of Service form(s) within the time limits prescribed by Rule 33(4) of the Competition Appeal Tribunal Rules 2015 (modified in respect of service outside the jurisdiction by Rule 33(5)) from the end of the period of the stay described in paragraph 2 above, as follows:
 - (a) The Second to Sixth Defendants shall file and serve an Acknowledgement of Service form within 21 days.
 - (b) The Seventh Defendant shall file and serve an Acknowledgement of Service form within 24 days.
4. The Second to Seventh Defendants shall not be required to file and serve their Defence(s) until 42 days from the end of the period of the stay described in paragraph 2 above. If a Defendant challenges jurisdiction it will not be required to file a defence before the hearing of its application.
5. This Order is without prejudice to, and shall not be treated as a waiver of, the Second to Seventh Defendants’ rights to challenge the jurisdiction of the Tribunal in relation to the Claim, pursuant to the Acknowledgement of Service form(s) described in paragraph 3 above.
6. There shall be no order as to costs.

The Hon Mr Justice Roth

President of the Competition Appeal Tribunal

Made: 18 August 2020

Drawn: 19 August 2020