



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case Nos: 1360/5/7/20 (T)  
1361/5/7/20 (T)  
1362/5/7/20 (T)

BETWEEN:

**BFS GROUP LIMITED & ANOTHER**

Claimants

- and -

**DAF TRUCKS LIMITED & OTHERS**

Defendants

AND BETWEEN:

**ENTERPRISE RENT-A-CAR UK LIMITED**

Claimants

- and -

**DAF TRUCKS LIMITED & OTHERS**

Defendants

AND BETWEEN:

**ABF GRAIN PRODUCTS LIMITED & OTHERS**

Claimants

- and -

**DAF TRUCKS LIMITED & OTHERS**

Defendants

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**CONSENT ORDER**

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UPON applications by the Claimants dated 9 September 2021 and the Chairman's indication by letter dated 9 September 2021

AND UPON the following definitions applying for the purposes of this consent order:

**“Commission File Documents”** means the versions of the documents on the European Commission’s administrative file relating to its investigation in Case AT.39824 – Trucks which were disclosed in *Dawsongroup plc & others v DAF Trucks N.V. and others* (CAT Case No. 1295/5/7/18 (T)) by the defendants in that claim.

**“Commission File Index”** means the version of the index to the Commission’s administrative file relating to its investigation in Case AT.39824 – Trucks which was disclosed pursuant to paragraph 12 of the Order of Mr Justice Roth dated 19 December 2018 in *Ryder Limited & another v MAN SE and others* (CAT Case No. 1291/5/7/18 (T)) by the DAF Decision Addressees (as defined in that order).

**“Confidential Decision”** means the version of the decision of the European Commission dated 19 July 2016 in Case AT.39824 – Trucks disclosed pursuant to paragraph 11 of the Directions Order of Mrs Justice Rose dated 18 December 2017 in *Royal Mail Group Limited v DAF Trucks Limited & Others* (Claim No. HC-2016-003422; CAT Case No 1284/5/7/18 (T)) by the defendants in that claim.

**“Confidentiality Rings”** means the confidentiality rings established in these Proceedings pursuant to the Confidentiality Ring Orders.

**“Confidentiality Ring Orders”** means the Orders of the Tribunal dated 1 October 2021 establishing confidentiality rings in these Proceedings.

**BY CONSENT IT IS ORDERED THAT:**

**Disclosure of the Commission Decision**

1. By 1 October 2021, the Defendants shall disclose and provide for inspection into the Confidentiality Rings, by the separate Confidentiality Ring Orders, a copy of the Confidential Decision.

**Disclosure of the Commission File Documents and the Commission File Index**

2. By 1 October 2021, the DAF Defendants shall disclose and provide for inspection:
  - (a) copies of the Commission File Documents, together with all available parent document data relating to the Commission File Documents that are being made available for inspection; and

(b) a copy of the Commission File Index

3. The initial designation of each Commission File Document disclosed pursuant to paragraph 2(a) above as Confidential Information (as defined in the Confidentiality Ring Orders) or not confidential shall be as specified in paragraph 10 of the Confidentiality Ring Orders.

**Extension of time limits**

4. The parties may agree to extend any time period to which the Proceedings may be subject to a period or periods of up to 28 days in total without reference to the Tribunal, provided that this does not affect the date given for any case management conference or pre-trial review or the date of the trial. The parties shall notify the Tribunal in writing of the expiry date of any such extension.

**Costs**

5. Costs in the case.

**Other**

6. The parties have liberty to apply.

**Hodge Malek QC**  
Chairman of the Competition Appeal Tribunal

Made: 1 October 2021  
Drawn: 1 October 2021