



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1370/5/7/20 (T)

BETWEEN

- (1) VATTENFALL AB
- (2) VATTENFALL ELDISTRIBUTION AB
- (3) VATTENFALL VINDKRAFT AB
- (7) VÄSTERBERGSLAGENS ELNÄT AB
- (8) THANET OFFSHORE WIND LIMITED
- (10) ORMONDE ENERGY LIMITED
- (11) VATTENFALL A/S
- (12) VATTENFALL VINDKRAFT A/S
- (13) DOTI DEUTSCHE OFFSHORE-TESTFELD UND
INFRASTRUKTUR GMBH & CO KG
- (14) STROMNETZ BERLIN GMBH
- (15) NOORDZEEWIND CV

Claimants

- and -

- (1) PRYSMIAN S.P.A.
- (2) PRYSMIAN POWERLINK S.R.L.
- (3) PRYSMIAN CABLES & SYSTEMS LTD
- (4) PRYSMIAN GROUP FINLAND OY
- (5) PRYSMIAN KABEL UND SYSTEME GMBH
- (8) PRYSMIAN CAVI E SISTEMI SRL

Defendants

- and -

- (1) NEXANS FRANCE SAS
- (2) NEXANS SA

Third Parties

CONSENT ORDER

UPON the Claimants, the Defendants and the Third Parties having agreed the terms of this Order

AND HAVING REGARD TO the Defendants having consented to amendments being made to the Re-Amended Particulars of Claim pursuant to CPR 17.1(2)(a)

AND HAVING REGARD TO the Order of Mr Anthony Ellera QC (sitting as a Deputy High Court Judge) dated 6 August 2018 made in the context of the Defendants' jurisdiction and summary disposal application dated 5 June 2017 (the "**Costs Order**")

AND HAVING REGARD TO the Order of the Honourable Mr Justice Adam Johnson dated 13 October 2020 (the "**CMC Order**")

BY CONSENT IT IS ORDERED THAT:

1. The Claimants shall pay the Prysman Defendants' costs attendant upon the Claimants' claim in respect of the Kentish Flats offshore windfarm, save insofar as they are covered by paragraph 33 of the CMC Order or the Costs Order. The said costs shall be assessed if not agreed.
2. The Claimants shall pay the Third Parties' costs attendant upon the Claimants' claim in respect of sales from Nexans IKO Sweden AB. The said costs shall be assessed if not agreed.
3. The Prysman Defendants shall file and serve an Amended Defence by 4pm on 4 March 2022.
4. The Claimants shall file and serve any Replies by 4pm on 14 April 2022.

The Honourable Mrs Justice Joanna Smith
Chairman of the Competition Appeal Tribunal

Made: 7 March 2022
Drawn: 7 March 2022