



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

Case Nos: 1342/5/7/20  
1409/5/7/21(T)  
1410/5/7/21(T)

BETWEEN:

**(1) SPORTRADAR AG**  
**(2) SPORTRADAR UK LIMITED**

Claimants

and

**(1) FOOTBALL DATA CO LIMITED**  
**(2) BETGENIUS LIMITED**  
**(3) GENIUS SPORTS GROUP LIMITED**

Defendants  
*("The Sportradar Claim")*

AND BETWEEN:

**FOOTBALL DATA CO LIMITED**

Claimant

and

**(1) SPORTRADAR AG**  
**(2) SPORTRADAR UK LIMITED**  
**(3) PETER KENYON**  
**(4) ISAIAH GARDNER**  
**(5) FLOYD MARCH**  
**(6) NICK MILLS**  
**(7) PRZEMYSŁAW DUBININ**

Defendants  
*("The FDC Claim")*

AND BETWEEN:

**BETGENIUS LIMITED**

Claimant

**and**

**(1) SPORTRADAR AG**

**(2) SPORTRADAR UK LIMITED**

**(3) PETER KENYON**

**(4) ISAIAH GARDNER**

**(5) FLOYD MARCH**

**(6) NICK MILLS**

**(7) PRZEMYSŁAW DUBININ**

Defendants

*("The Genius Claim")*

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**ORDER**

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**UPON** the Tribunal's Order made on 29 July 2021, as amended from time to time (the "Directions Order") and the parties' agreement on 26 November 2021 to extend the deadline for disclosure under paragraph 18(8) of the Directions Order to 28 January 2022

**AND UPON** the Tribunal's Order made by consent on 1 June 2020, as amended from time to time (the "Confidentiality Ring Order")

**AND UPON** the lists of material in the public domain upon which the parties' experts wish to rely filed with the Tribunal on 12 January 2022, 26 January 2022 and 3 March 2022

**AND UPON** the Defence and Counterclaim of Soft Construct (Malta) Limited, Soft Construct CJSC, Soft Construct Ukraine LLC, Soft Construct Limited and Vivaro Limited (collectively, the "SCM Parties") to the claim commenced in the High Court by the Second and Third Defendants in the Sportradar Claim, referred to by claim number IL-2020-000040 (the "SCM Claim"), raising competition law issues related to those in the present proceedings

**AND UPON** reading skeleton arguments filed on behalf of the parties in the Sportradar, Genius and FDC Claims (together, the “CAT Claims”) and on behalf of the SCM Parties

**AND UPON** hearing counsel for the parties in the CAT Claims, the SCM Parties and IMG at a case management conference (“CMC”) held on 16 February 2022

**AND UPON** the parties having agreed the extensions to the procedural timetable set out in paragraphs 5 to 7 of this Order

**AND UPON** the parties to the Sportradar Claim (and any other related group companies in the same economic undertaking) and the SCM Parties having waived their rights to contend for a judge other than Mr Justice Marcus Smith to hear the SCM Claim in the High Court or for any Tribunal different from that in the Sportradar Claim to hear competition issues arising in the SCM Claim

**IT IS ORDERED THAT:**

**Intervention**

1. The SCM Parties shall be permitted to intervene in the CAT Claims pursuant to Rules 16 and 50 of the Competition Appeal Tribunal Rules 2015.
2. The SCM Parties shall file and serve a Statement of Intervention by 4pm on Friday 29 July 2022.

**Evidence**

3. The deadline in paragraph 22 of the Directions Order for the parties to serve witness statements of fact is extended to 4pm on Friday 25 March 2022.
4. The deadline in paragraph 23 of the Directions Order for the parties to serve witness statements in reply is extended to 4pm on Wednesday 27 April 2022.
5. The deadline in paragraph 25 of the Directions Order for the parties to exchange expert reports is extended to 4pm on Friday 20 May 2022.

6. The deadline in paragraph 26 of the Directions Order for the parties to file and serve expert reports in reply is extended to 4pm on Friday 24 June 2022.
7. The experts' meetings for without prejudice discussions as required by paragraph 27 of the Directions Order shall occur after 24 June 2022, and the deadline in paragraph 27 of the Directions Order for the experts to file their Joint Statement is extended to 4pm on Friday 22 July 2022.
8. The experts shall be permitted to rely on the public material referred to in the lists of publicly available information sources filed with the Tribunal by the solicitors for Genius, Sportradar and FDC on 12 January 2022, 26 January 2022 and 3 March 2022 respectively.

#### **Other**

9. The SCM Parties shall confirm the identities of the individual legal representatives and experts to be admitted to Part A of the Schedule to the Confidentiality Ring Order by no later than Tuesday 15 March 2022.
10. Subject to compliance with paragraph 9 above and formal admission of the SCM Parties' representatives to Part A of the Schedule to the Confidentiality Ring Order:
  - (a) By 4pm on Wednesday 30 March 2022, the parties to the CAT Claims shall each give disclosure (and provide for inspection) of disclosed documents to the SCM Parties by: (i) serving any and all Lists of Documents and Disclosure Certificates filed and served in these proceedings; and (ii) providing the SCM Parties with a disclosure review platform load file containing all disclosed documents where documents were provided for inspection (containing the available metadata provided as part of disclosure);
  - (b) All written statements given by witnesses of fact, prepared and produced as evidence in accordance with paragraphs 20 and 21 of the Directions Order, shall be served by the parties to the CAT Claims, as applicable, on the SCM Parties in accordance with the revised deadlines set out at paragraphs 3 and 4 above;

- (c) All expert reports prepared and produced as evidence in accordance with paragraphs 25 and 26 of the Directions Order shall be served by the parties to the CAT Claims, as applicable, on the SCM Parties in accordance with the revised deadlines set out paragraphs 5 and 6 above; and
- (d) The experts' Joint Statement prepared and produced in accordance with paragraph 27 of the Directions Order shall be served by the Genius Defendants to the Sportradar Claim on the SCM Parties in accordance with the revised filing deadline set out paragraph 7 above.

### **Pre-Trial Review**

- 11. A pre-trial review ("PTR") shall be listed for 28 July 2022 with a time estimate of one day.
- 12. The parties shall seek to agree a list of issues that require consideration at the PTR, or inform the Tribunal if the PTR can be vacated, by 4pm on 14 July 2022; and
- 13. The parties shall file and serve skeleton arguments and an agreed electronic bundle containing only those documents necessary for the PTR by 4pm on 21 July 2022.

### **Miscellaneous**

- 14. The costs of and occasioned by the SCM Parties' intervention in accordance with paragraphs 1 and 2 above are reserved.
- 15. There be liberty to apply.

**Sir Marcus Smith**  
President of the Competition Appeal Tribunal

Made: 10 March 2022  
Drawn: 10 March 2022