



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1436/5/7/22 (T)

BETWEEN:

ALLIANZ GLOBAL INVESTORS GMBH AND OTHERS

Claimants

- v -

- (1) DEUTSCHE BANK AG LONDON
- (2) DEUTSCHE BANK AG
- (6) GOLDMAN SACHS INTERNATIONAL
- (7) GOLDMAN SACHS INTERNATIONAL BANK
- (9) GOLDMAN SACHS GROUP UK LIMITED
- (10) GOLDMAN SACHS BANK USA
- (12) MORGAN STANLEY INTERNATIONAL LIMITED
- (14) MORGAN STANLEY & CO. INTERNATIONAL PLC
- (17) BANK OF AMERICA N.A.
- (18) BANK OF AMERICA MERRILL LYNCH INTERNATIONAL
DESIGNATED ACTIVITY COMPANY
- (20) MERRILL LYNCH INTERNATIONAL
- (21) BNP PARIBAS S.A.
- (22) BNP PARIBAS LONDON BRANCH
- (23) BNP PARIBAS SECURITIES SERVICES SCA
- (24) SOCIÉTÉ GÉNÉRALE S.A.
- (25) STANDARD CHARTERED PLC
- (26) STANDARD CHARTERED BANK
- (27) ROYAL BANK OF CANADA

Defendants

CONSENT ORDER

UPON the Twenty-Third Defendant's application for an order that it be removed as a party to the proceedings pursuant to Rule 38(1) of the Competition Appeal Tribunal

Rules 2015 on the date that the merger of the Twenty-First and Twenty-Third Defendant (the **Merger**) becomes effective (the **Merger Date**) (the **Removal Application**)

AND UPON the Twenty-First Defendant confirming to the Claimants in correspondence that (i) on the Merger Date the Twenty-Third Defendant will no longer exist as a legal entity and its assets and liabilities, including the Twenty-Third Defendant's contingent liabilities to the Claimants in the proceedings, will be transferred to the Twenty-First Defendant; (ii) it will not seek to resile from the position that the Twenty-Third Defendant's contingent liability in the proceedings will be transferred to the Twenty-First Defendant on the Merger Date; and that (iii) all documents within the Twenty-Third Defendant's possession and control will be transferred to the Twenty-First Defendant on the Merger Date

AND UPON the Claimants confirming to the Twenty-First Defendant that they will not seek to argue that the Twenty-First Defendant is precluded from recovering from the Claimants the specific and common costs incurred by the Twenty-Third Defendant in the proceedings prior to the Merger Date

AND UPON the Twenty-First Defendant reserving its rights in relation to the inclusion of the Twenty-Third Defendant as a Defendant to the proceedings, including as to costs

AND UPON the Twenty-First Defendant confirming that, subject to the above reservation of rights, it will not seek to argue that the Claimants are precluded from recovering any specific and common costs incurred by the Claimants in relation to the Twenty-Third Defendant's participation in the proceedings prior to the Merger Date from the Twenty-First Defendant

AND UPON the Claimants and the other Defendants consenting to the Removal Application

IT IS ORDERED BY CONSENT THAT:

1. Within twenty business days of the Merger Date, the Twenty-First Defendant shall simultaneously file with the Tribunal and serve on the parties to the proceedings a witness statement from its solicitors which (a) confirms that the Merger has become effective, and (b) exhibits an updated K-bis extract (*Extrait*

K-bis) of BNP Paribas SA from the Trade and Companies Registry (*Registre du commerce et des sociétés*) of Paris.

2. Upon filing of the witness statement required by paragraph 1 above, the Twenty-Third Defendant shall be removed as a party to the proceedings, such removal being deemed to have taken place on the Merger Date.
3. Costs in the case.

The Hon Mr Justice Jacobs
Chair of the Competition Appeal Tribunal

Made: 21 September 2022
Drawn: 21 September 2022