



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1528/5/7/22 (T)

BETWEEN:

VOLKSWAGEN AG & OTHERS

Claimants

- v -

- (1) MOL (EUROPE AFRICA) LTD
- (7) "K"-LINE HOLDING (EUROPE) LTD
- (8) "K"-LINE (EUROPE) LTD
- (9) KAWASAKI KISEN KAISHA, LTD

Defendants / Rule 39 Claimants

- and -

NIPPON YUSEN KABUSHIKI KAISHA

Part 20 Defendant / Rule 39 Defendant

ORDER

UPON the Claimants' claims against the Defendants and the Defendants' claims against the Part 20 Defendant

AND UPON the Consent Order of the Honourable Mr Justice Calver dated 20 June 2022 transferring the proceedings to the Competition Appeal Tribunal with effect from the sealed date of the order made following the first case management conference in these proceedings

AND UPON the Order of the Honourable Mr Justice Picken made at the first case management conference held on 14 July 2022 and sealed on 19 August 2022 (the “**CMC Order**”)

AND UPON the Tribunal’s Order made by consent on 4 October 2022

AND UPON the Claimants, the First Defendant, the Seventh to Ninth Defendants and the Part 20 Defendant having agreed to an extension to the time limit set out in paragraph 16 of the CMC Order, as set out below

AND UPON the Claimants, the First Defendant, the Seventh to Ninth Defendants and the Part 20 Defendant having agreed amendments to paragraph 13 of the CMC Order, as set out below

IT ORDERED BY CONSENT THAT:

1. Paragraphs 13 and 13.1 of the CMC Order shall be varied such that:
 - (a) on or before 4pm on 11 November 2022, the Seventh to Ninth Defendants shall give disclosure and inspection of all documents which (i) are or have been in their control; and (ii) have been provided either by the Ninth Defendant or by any of its current or former subsidiaries to regulators and/or authorities in at least four of the following jurisdictions: Japan, Australia, South Africa, Brazil, Peru, Chile, Mexico, the USA, India, South Korea, and China (together, the “Foreign Jurisdictions”) in connection with the investigation of anti-competitive practices in relation to Roll On Roll Off maritime transport; and
 - (b) on or before 4pm on 23 December 2022 the Seventh to Ninth Defendants shall in an additional tranche or tranches give disclosure and inspection of all of the remaining documents which (i) are or have been in their control; and (ii) have been provided either by the Ninth Defendant or by any of its current or former subsidiaries to regulators and/or authorities in the Foreign Jurisdictions in connection with the investigation of anti-competitive practices in relation to Roll On Roll Off maritime transport.

2. Paragraph 16 of the CMC Order shall be varied such that, directly after paragraph 16.2, an additional paragraph 16.3 shall be inserted as follows:

“16.3 A further additional tranche or tranches on or before 23 December 2022.”

3. Costs in the case.

The Hon Mrs Justice Cockerill DBE
Chair of the Competition Appeal Tribunal

Made: 26 October 2022
Drawn: 26 October 2022