



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1405/5/7/21 (T)

BETWEEN:

- (1) EURONET 360 FINANCE LIMITED**
- (2) EURONET POLSKA SPÓLKA Z.O.O.**
- (3) EURONET SERVICES SPOL. S.R.O.**
- (4) EURONET CARD SERVICES S.A.**

Claimants

- v -

- (1) MASTERCARD INCORPORATED**
- (2) MASTERCARD INTERNATIONAL INCORPORATED**
- (3) MASTERCARD EUROPE S.A.**
- (together, the “Mastercard Defendants”)**
- (4) VISA EUROPE LIMITED**
- (5) VISA EUROPE SERVICES LLC**
- (6) VISA INC**
- (together, the “Visa Defendants”)**

Defendants

ORDER

UPON the Order of the Honourable Mrs Justice Cockerill made on 13 June 2021, as amended, inter alia, by the Tribunal’s Orders made on 18 March 2022, 2 August 2022 and 14 September 2022 (the “**Directions Order**”)

AND UPON the Claimants, the Visa Defendants and the Mastercard Defendants filing and serving their signed statements of witnesses of fact on 14 April 2022, 26 August 2022, and 23 September 2022 respectively in accordance with the Directions Order

AND UPON the Claimants filing and serving their signed statements of fact in reply on 22 November 2022 (the “**Reply Statements**”) in accordance with the Directions Order

AND UPON considering the letter from the solicitors for the Visa Defendants to the Tribunal dated 4 April 2023 requesting permission to adduce and rely upon further factual evidence in response to the Reply Statements, pursuant to Rule 55 of the Competition Appeal Tribunal Rules 2015

AND UPON the Mastercard Defendants consenting by letter dated 3 April 2023 from their solicitors

AND UPON the Claimants, by letter dated 14 April from their solicitors, consenting to the terms of this Order while indicating that they wish to seek to adduce responsive evidence in due course and reserving their position on the content of the Visa Defendants' further factual evidence

IT IS ORDERED BY CONSENT THAT:

1. The Visa Defendants are given permission to rely on the following factual evidence in response to the Reply Statements:
 - 1.1 the Second Witness Statement of Mr Marcel Gajdos dated 1 April 2023;
 - 1.2 the Second Witness Statement of Mr Ireneusz Matczak dated 2 April 2023; and
 - 1.3 the Second Witness Statement of Mr Richard Korn dated 3 April 2023.
2. Such factual witness evidence should be filed and served within five days of the made date of this Order.
3. Costs in the case.

The Hon Mr Justice Butcher
Chair of the Competition Appeal Tribunal

Made: 14 April 2023
Drawn: 14 April 2023