



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1378/5/7/20

BETWEEN:

(1) EPIC GAMES, INC.
(2) EPIC GAMES INTERNATIONAL S.À R.L

Claimants

and

(1) ALPHABET INC.
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LTD
(5) GOOGLE PAYMENT LIMITED

Defendants

ORDER

UPON the Tribunal's order made on 6 December 2021 (the “**First Directions Order**”)

AND UPON the Tribunal’s order made on 25 May 2022 (the “**Second Directions Order**”)

AND UPON the Tribunal’s order made on 16 December 2022 amending the First Directions Order and the Second Directions Order

AND UPON the Tribunal’s order made on 6 February 2023, amending the First Directions Order and the Second Directions Order

AND UPON the Tribunal’s order made on 2 March 2023, amending the First Directions Order

AND UPON the parties having agreed to the terms of this order

IT IS ORDERED THAT:

1. Paragraph 10 of the First Directions Order is amended to read: *“The parties shall file and exchange signed statements of witnesses of fact by 4pm on 3 March 2023, such witness statements to stand as evidence-in-chief at trial, and the parties shall file and exchange hearsay notices where required by CPR 33.2 by 4pm on 3 November 2023”*.
2. Paragraph 11 of the First Directions Order is amended to read: *“The parties shall have permission to file and exchange any reply statements of witness of fact by 4pm on 22 September 2023, such witness statements to stand as evidence-in-chief at trial”*.
3. Paragraph 13 of the First Directions Order is amended to read: *“The parties shall file and exchange expert reports by 4pm on 1 December 2023”*.
4. Paragraph 14 of the First Directions Order is amended to read: *“Any expert reports in reply shall be filed and served by 4pm on 15 March 2024”*.
5. Paragraph 15 of the First Directions Order is amended to read: *“The experts shall meet to discuss the expert reports by 19 April 2024 and shall file and serve a joint expert report by no later than 4pm on 31 May 2024”*.
6. Paragraph 17 of the First Directions Order is amended to read: *“By no later than 14 days after the outcome of the US Proceedings, the parties are to attend on the CAT Registry to fix (i) a Pre-Trial Review; and (ii) the date for trial which shall not be before 2 October 2024”*.
7. Paragraph 18 of the First Directions Order is amended to read: *“The Claimants shall file and serve their written openings by 4pm 6 weeks before the date of commencement of trial. The Defendants shall file and serve their written openings by 4pm 3 weeks before the date of commencement of trial”*.
8. Paragraph 8 of the Second Directions Order is amended to read: *“The CMA shall file and serve its written observations pursuant to Rule 50(2) of the Tribunal Rules by 5pm on 28 June 2024”*.
9. Paragraph 9 of the Second Directions Order is amended to read: *“If so advised, parties file and serve written observations on the CMA’s written observations by 5pm on 26 July 2024”*.
10. Costs in the case.
11. There shall be liberty to apply.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 18 April 2023
Drawn: 18 April 2023