



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1590/4/12/23

BETWEEN:

MICROSOFT CORPORATION

Applicant

- v -

COMPETITION AND MARKETS AUTHORITY

Respondent

- and -

ACTIVISION BLIZZARD, INC.

Intervener

ORDER

UPON the application made jointly by the Respondent (the “CMA”) and by the Applicant (“Microsoft”) – and with the support of the Intervener to adjourn the hearing of Microsoft’s JR application under section 120 of the Enterprise Act 2002 for the review of a decision of the CMA dated 26 April 2023 (which is due to be heard on Friday 28 July 2023, with a time estimate of six days) (the “**Joint Adjournment Application**”).

AND UPON the Tribunal’s Ruling dated 17 July 2023 ([2023] CAT 48) conditionally granting the Joint Adjournment Application (the “**Adjournment Ruling**”).

AND UPON reading the second witness statement of Chris Prevett on behalf of the CMA (“**Prevett 2**”) and the first witness statement of Linda Norman on behalf of Microsoft (“**Norman 1**”) dated 20 July 2023.

AND UPON reading the CMA's letter of 21 July 2023 confirming that it does not object to a non-confidential version of Prevett 2 being published on the Tribunal's website.

IT IS ORDERED THAT:

1. The Joint Adjournment Application is granted.
2. A non-confidential version of Prevett 2 will be published on the Tribunal's website forthwith.
3. Norman 1 will not be published. Norman 1 is substantially confidential in nature. Any non-party seeking the publication of Norman 1 shall make an application on notice to the Tribunal.

REASONS

1. I have read the evidence from Mr Prevett and Ms Norman, and I am satisfied that an adjournment is required and desirable in this case. The four-stage approach articulated in the Adjournment Ruling is met.

Sir Marcus Smith

President of the Competition Appeal Tribunal

Made: 21 July 2023

Drawn: 21 July 2023