



Case No: 1622/5/7/23 (T)

**IN THE COMPETITION APPEAL TRIBUNAL**

BETWEEN:

- (1) BLUE LIVERPOOL LIMITED**
- (2) BLUE MANCHESTER LIMITED**
- (3) OCTAGON PIER LIMITED**
- (4) OCTAGON PIER LIMITED**
- (5) WEST INDIA QUAY DEVELOPMENT COMPANY (EASTERN) LIMITED**

Claimants

- v -

- (1) VISA EUROPE LIMITED**
- (2) VISA EUROPE SERVICES LLC**
- (3) VISA UK LIMITED**
- (4) VISA INC.**

Defendants

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**ORDER**

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**UPON** these Proceedings being commenced in the High Court on 17 July 2023 (Claim No. CP-2023-000013) (the “Claim”)

**AND HAVING REGARD TO** (i) the views expressed by the President of the Tribunal at the Case Management Conference on 1-2 March 2022 in Cases 1306-1325/5/7/19 (T), 1349-1350/5/7/20 (T), 1369/5/7/20 (T), 1373-1374/5/7/20 (T), 1376/5/7/20 (T), 1383-1384/5/7/21 (T), 1385-1400/5/7/21 (T) and 1406/5/7/21 (T); (ii) the Order of the Tribunal dated 16 March 2022 following such Case Management Conference (the “March 2022 Order”); and (iii) the Tribunal’s Ruling dated 16 March 2022 ([2022] CAT 14)

**AND UPON** the Umbrella Proceedings Order of the President dated 4 July 2022 in Case No 1517/11/7/22 (UM) Merchant Interchange Fee Umbrella Proceedings (the “Merchant Umbrella Proceedings”) designating various individual merchant interchange fee proceedings listed in the schedule to that order as “Host Cases” and designating all issues, matters or features arising out of the Merchant Umbrella Proceedings as Ubiquitous Matters (the “Umbrella Proceedings Order”)

**AND UPON** the Order of 14 of November 2023 transferring the Claim from the High Court to the Competition Appeal Tribunal

**AND UPON** the letter dated 30 November 2023 from the Tribunal to the parties confirming registration of the Proceedings under Case No 1622/5/7/23 (T)

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

**IT IS ORDERED BY CONSENT THAT:**

1. The Umbrella Proceedings Order and the schedule thereto be varied to include these Proceedings which are named as a Host Case in the Merchant Umbrella Proceedings.
2. Pursuant to Rule 53(2)(k) of the Competition Appeal Tribunal Rules 2015, the Claimants' claim in these Proceedings shall be stayed on the terms set out in paragraph 4 of the March 2022 Order (the "Stay").
3. Notwithstanding that Stay, the Claimants agree to be bound by the outcome of the Merchant Umbrella Proceedings (including any appeals) in respect of all designated Ubiquitous Matters; and (ii) a party in the Merchant Umbrella Proceedings may make an application for one or more of the Claimants to provide information or disclosure on the condition that the Tribunal considers such information or disclosure necessary to resolve a wider issue in the Merchant Umbrella Proceedings.
4. The Claimants shall not be required to serve any Particulars of Claim during the Stay and the time for serving Particulars of Claim shall be extended until 12 weeks after the date of the order lifting the Stay, unless the Tribunal shall order otherwise.
5. The Claimants shall have permission to make amendments to the Claim Form, such that the name of the Fourth Defendant is amended from "Visa Inc" to "Visa Inc.", and the address of the Fourth Defendant is amended from "900 METRO CENTER BLVDE, FOSTER CITY CA 94404 UNITED STATES" to "Corporation Trust Center, 1209 Orange Street, Wilmington, New Castle, 19801, Delaware USA". The Amended Claim Form shall be served within 12 weeks after the date of the order lifting the Stay, unless the Tribunal shall order otherwise.
6. There be liberty to apply.
7. Cost in the case

**Sir Marcus Smith**  
President of the Competition Appeal Tribunal

Made: 30 November 2023  
Drawn: 30 November 2023