



IN THE COMPETITION
APPEAL TRIBUNAL

Case Nos: 1517/11/7/22 (UM)
1266/7/7/16
1475/5/7/22 (T)
1492/5/7/22 (T)
1507/5/7/22 (T)
1513/5/7/22 (T)
1575/5/7/22 (T)

BETWEEN:

THE UMBRELLA INTERCHANGE FEE CLAIMANTS

- v -

THE UMBRELLA INTERCHANGE FEE DEFENDANTS

(“the Umbrella Proceedings”)

AND BETWEEN:

WALTER HUGH MERRICKS CBE

Merricks Class Representative

- v -

(1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE S.P.R.L

Merricks Defendants
(together, the “Proceedings”)

ORDER

UPON the Order of the President made and drawn 4 July 2022 in Case No. 1517/11/7/22 (UM) Merchant Interchange Fee 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 Umbrella Proceedings as Ubiquitous Matters

AND UPON the parties agreeing to be bound by the determination of any issues which are common to the claims in these proceedings and to the jointly case managed claims in the Umbrella Proceedings

AND UPON the Tribunal’s Order made and drawn on 16 March 2022 appended to the Tribunal’s Ruling of 16 March 2022 ([2022] CAT 14)

AND UPON the Order of the President made on 23 December 2022 and drawn on 13 January 2023 regarding the future conduct of the Umbrella Proceedings

AND UPON the Further Evidential Hearing listed for 10 and 11 January 2024 and Trial 1 listed for 5 February to 28 March in these proceedings

AND UPON considering the correspondence from the solicitors for the listed Claimants regarding their participation in the hearings in these proceedings

AND HAVING REGARD TO Rule 53 of the Competition Appeal Tribunal Rules 2015

IT IS ORDERED THAT:

1. The Claimants in the 1513/5/7/22 (T) claims are Active Claimants in the Umbrella proceedings and shall be bound by the outcome of any determinations (including any appeals) in these proceedings notwithstanding that these Claimants elect to be unrepresented at the Further Evidential Hearing and Trial 1 in these proceedings.
2. The Claimants in the 1475/5/7/22 (T), 1492/5/7/22 (T), 1507/5/7/22 (T), and 1575/5/7/22 (T) claims are Active Claimants in the Umbrella proceedings and shall be bound by the outcome of any determinations (including any appeals) in these proceedings notwithstanding that these Claimants elect to be unrepresented in Trial 1 in these proceedings.
3. The Claimants listed in paragraph 1 and 2 will, until further order, be treated by the Tribunal as participating in Trial 2.
4. No order as to costs.

5. There be liberty to apply.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 17 January 2024
Drawn: 19 January 2024