



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1289/7/7/18

BETWEEN:

**ROAD HAULAGE ASSOCIATION LIMITED**

Applicant/Proposed Class Representative

- v -

**MAN SE AND OTHERS**

Respondents/Proposed Defendants

- and -

**DAIMLER AG**

Objector

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**ORDER**

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**UPON** the applications for a Collective Proceedings Order (“**CPO**”) brought by UK Trucks Claim Limited (“**UKTC**”) on 18 May 2018 (Case No. 1282/7/7/18) and the Road Haulage Association Limited (“**RHA**”) on 17 July 2018

**AND UPON** the judgment of the Tribunal of 8 June 2022 determining that the UKTC application should be dismissed, and the RHA application should be granted subject to amendment

**AND UPON** the Court of Appeal having handed down its judgment on 25 July 2023 ([2023] EWCA Civ 875) (the “**CoA Judgment**”)

**AND UPON** the Court of Appeal Order dated 28 September 2023 *inter alia*: (i) remitting to the Tribunal for it to give directions in relation to the separate representation and separate teams

within the RHA and separate funding for the two sub- classes in relation to the issue of resale pass-on; (ii) for it to approve the form of CPO Notice under Rule 81 of the Competition Appeal Tribunal Rules 2015, all in accordance with the guidance in the CoA Judgment (the “**Remitted Matters**”)

**AND UPON** the Tribunal listing the hearing of the Remitted Matters on 4 and 5 June 2024 (the “**Remitted Matters Hearing**”)

**AND UPON** the Order of the Tribunal made on 27 February 2024, giving directions in advance of the Remitted Matters Hearing (the “**Directions Order**”)

**AND UPON** the Orders of the Tribunal made on 8 and 28 March 2024, varying the Directions Order

**AND UPON** reading the letters from the solicitors for the RHA dated 11 and 12 April 2024, requesting a further variation of the Directions Order

**IT IS ORDERED THAT:**

1. The Directions Order is varied and restated as follows:
  - (a) The RHA to file its application in respect of the Remitted Matters by 4 pm on 18 April 2024.
  - (b) The Proposed Defendants and Objectors (the “**OEMs**”) to file non-duplicative responses by 4 pm on 13 May 2024.
  - (c) The RHA to file any Reply to the OEMs’ Responses by 4 pm on 20 May 2024.
  - (d) The RHA to file an electronic copy of agreed hearing bundles and five hard copies of an agreed core bundle by 4 pm on 24 May 2024.
  - (e) The parties to file and exchange skeleton arguments by 4 pm on 30 May 2024.
  - (f) The skeleton argument of the RHA be limited to 30 pages and skeleton arguments from the OEMs to be limited to 30 pages in aggregate, whether as a

joint skeleton or several separate skeletons, in each case skeletons to be 1.5 line spacing and 12-point font.

(g) There be liberty to apply by 23 May 2024 for permission to increase the page limit on skeleton arguments.

2. All parties have liberty to apply to vary the terms of this order.

**The Honourable Mr Justice Roth**  
Chair of the Competition Appeal Tribunal

Made: 12 April 2024  
Drawn: 12 April 2024