



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

Case No: As set out in Annex 1 to this Order

BETWEEN:

**THE CLAIMANTS IN THE TRUCKS SECOND WAVE PROCEEDINGS**

**(As set out in Annex 2 to this Order)**

Claimants

- v -

**DEFENDANTS IN THE TRUCKS SECOND WAVE PROCEEDINGS**

**(As set out in Annex 2 to this Order)**

Defendants

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**ORDER**

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**UPON** the Tribunal being informed that the Second and Third Claimants in Case no 1372/5/7/20 (T) *Gist Limited and Others v Stellantis NV (formerly Fiat Chrysler Automobiles N.V.) & Others* (“**the GIST Proceedings**”), registered on the Business Register of the Netherlands Chamber of Commerce, have been dissolved

**AND UPON** the Tribunal being informed that the Fourth Claimant in the GIST Proceedings did not purchase any trucks manufactured by any of the Fifth to Seventh Defendants in the GIST Proceedings and that claims are no longer pursued against them on its behalf

**AND UPON** the parties to this order recognising the guidance of the Tribunal in the Tribunal’s *Ruling on Umbrella Proceedings Cost Sharing Orders*, [2024] CAT 12 that:

- A. The effect of this order is that the Second to Fourth Claimants in the GIST Proceedings (the “**Relevant Claimants**”) cease to have claims against the Fifth to Seventh Defendants in the GIST Proceedings (the “**Relevant Defendants**”). To the extent that the Tribunal has any costs jurisdiction over the Relevant Claimants and/or the Relevant Defendants (as to which this order

says nothing), a costs order against one of them in favour of the other may not be a just exercise of the Tribunal's costs discretion. Whilst the Relevant Defendants (if still parties to the Second Wave Proceedings) would be entitled, as appropriate, to seek costs orders against those claimants in the Second Wave Proceedings who have not settled (“**Non-Relevant Claimants**”), the Tribunal will be reluctant to order such Non-Relevant Claimants to pay costs that are attributable to the Relevant Claimants.

- B. The Tribunal may, accordingly, reduce the costs recoverable by the Relevant Defendants (if still parties to the Second Wave Proceedings) against Non-Relevant Claimants by an amount referable to the costs incurred prior to the date of the settlement that would (but for the settlement) have been paid by the Relevant Claimants.
- C. Whilst the Relevant Claimants (if still parties to the Second Wave Proceedings) would be entitled, as appropriate, to seek costs orders against those defendants in the Second Wave Proceedings who have not settled (“**Non-Relevant Defendants**”), the Tribunal will be reluctant to order such Non-Relevant Defendants to pay costs that are attributable to the Relevant Defendants.
- D. The Tribunal may, accordingly, reduce the costs recoverable by the Relevant Claimants (if still parties to the Second Wave Proceedings) against Non-Relevant Defendants by an amount referable to the costs incurred prior to the date of the settlement that would (but for the settlement) have been paid by the Relevant Defendants.

**AND UPON** reading a draft of this order endorsed by the solicitors for the Second to Fourth Claimants and the solicitors for the Fifth to Seventh Defendants in the GIST Proceedings

**BY CONSENT IT IS ORDERED THAT:**

1. The claims in the GIST Proceedings by the Second to Fourth Claimants against the Fifth to Seventh Defendants be dismissed.
2. There be no order as to costs.

**ANNEX 1: CASES INCLUDED IN THE SECOND WAVE TRUCKS PROCEEDINGS**

<b>Case Number</b>	<b>Case Name</b>
<b><u>Cases in England</u></b>	
1296/5/7/18	Arla Foods AMBA & Others v Stellantis N.V. & Another
1338/5/7/20 (T)	Adnams PLC & Others v DAF Trucks Limited & Others
1343/5/7/20 (T)	DS Smith Paper Limited & Others v MAN SE & Others
1355/5/7/20 (T)	Hertz Autovermietung GmbH & Others v Stellantis N.V. (formerly Fiat Chrysler Automobiles N.V.) & Others
1356/5/7/20 (T)	Balfour Beatty Group Limited & Others v Stellantis N.V. (formerly Fiat Chrysler Automobiles N.V.) & Others
1358/5/7/20 (T)	Zamenhof Exploitation & Others v Fiat Chrysler Automobiles N.V. & Others
1361/5/7/20 (T)	Enterprise Rent-a-Car UK Limited v DAF Trucks Limited & Others
1362/5/7/20 (T)	ABF Grain Products Limited & Others v DAF Trucks Limited & Others
1368/5/7/20 (T)	LafargeHolcim Limited & Others v Aktiebolaget Volvo (Publ) & Others
1371/5/7/20 (T)	The BOC Group Limited & Others v Stellantis N.V. & Others
1372/5/7/20 (T)	GIST Limited & Others v Stellantis N.V. & Others
1417/5/7/21 (T)	Dan Ryan Truck Rental Limited & Others v DAF Trucks Limited & Others
1420/5/7/21 (T)	A to Z Catering Supplies Limited & Others v DAF Trucks Limited & Others
1431/5/7/22 (T)	Adur District Council & Others v TRATON SE & Others
1521/5/7/22 (T)	Wm Morrison Supermarkets PLC & Others v Volvo Group UK Limited & Others
1578/5/7/23 (T)	Asda & Others v AB Volvo & Others
1616/5/7/23 (T)	Boots & Others v. Traton & Others
1594/5/7/23 (T)	GAP Group Limited and Another v DAF Trucks Limited and Others
1607/5/7/23 (T)	Wincanton Holdings Limited and Another v DAF Trucks Limited and Others
1608/5/7/23 (T)	Adnams PLC and Others v DAF Trucks Limited and Others
1609/5/7/23 (T)	SP0117 Limited (as Assignee) and Another v DAF Trucks Limited and Others
1608/5/7/23 (T)	Adnams PLC and Others v DAF Trucks Limited and Others
1609/5/7/23 (T)	1609/5/7/23 (T)
1609/5/7/23 (T)	SP0117 Limited (as Assignee) and Another v DAF Trucks Limited and Others
1610/5/7/23 (T)	Rowleys of Northwich Limited and Others v DAF Trucks Limited and Others
1633/5/7/24	Tesco Stores Limited & Another v Scania (Great Britain) Limited & Others
<b><u>Cases in Northern Ireland</u></b>	

1536/5/7/22 (T)	C Faulkner & Sons v Aktiebolaget Volvo (Publ)
18/78144	JH Irwin & Son (Fuels) Limited -v- AB Volvo
20/22730	McHugh's Oil Limited -v- AB Volvo
18/33243	Niall McCann trading as NMC Haulage -v- AB Volvo
20/41004	Cynthia Beattie t/a Beattie Transport -v- AB Volvo
1674/5/7/24 (T)	J.C. Campbell (N.I.) Limited -v- DAF Trucks N.V.
1675/5/7/24 (T)	Gibson Bros Limited -v- DAF Trucks N.V.
1676/5/7/24 (T)	Joseph Walls Ltd -v- DAF Trucks NV
1677/5/7/24 (T)	M.G. Oils Limited -v- DAF Trucks NV
1678/5/7/24 (T)	J.K.C. Specialist Cars Limited -v- DAF Trucks NV
1679/5/7/24 (T)	G.P. Marketing Limited trading as Patterson Oil -v- DAF Trucks NV
22/53690	Cynthia Beattie t/a Beattie Transport -v- DAF Trucks NV
1680/5/7/24 (T)	J.H. Irwin & Son (Fuels) Limited -v- DAF Trucks NV
1681/5/7/24 (T)	Trevor Leckey t/a Stoneyford Concrete -v- DAF Trucks NV
20/58982	Derek O'Reilly t/a O'Reilly's The Sweet People -v- Daimler AG
20/58998	Patrick Megoran -v- Daimler AG
20/58974	Stephen Pollard -v- Daimler AG
1682/5/7/24 (T)	John Rodgers Limited -v- Daimler AG
20/58984	Andrew Ingredients Ltd -v- Daimler AG
18/78073	Kieran Quinn t/a Pomeroy Haulage -v- Daimler AG
20/58977	J.C. Campbell (N.I.) Limited -v- Daimler AG
22/53682	Cynthia Beattie t/a Beattie Transport -v- Daimler AG
1683/5/7/24 (T)	R Magowan & Son Limited -v- Iveco S.P.A
1684/5/7/24 (T)	C. Russell Auto Sales Ltd -v- Iveco S.P.A
1685/5/7/24 (T)	Kennedy & Morrison Limited -v- Iveco S.P.A
1686/5/7/24 (T)	Niall McCann t/a NMC Haulage -v- Iveco S.P.A
1687/5/7/24 (T)	John Rodgers Limited -v- Iveco S.P.A
18/78144	JH Irwin & Son (Fuels) Limited -v- AB Volvo
20/22730	McHugh's Oil Limited -v- AB Volvo
18/33243	Niall McCann trading as NMC Haulage -v- AB Volvo
20/41004	Cynthia Beattie t/a Beattie Transport -v- AB Volvo
<b><u>Cases in Scotland</u></b>	
1538/5/7/22 (T)	Clackmannanshire Council v VFS Financial Services Ltd & Others
1539/5/7/22 (T)	Angus Council v VFS Financial Services Limited & Others

1540/5/7/22 (T)	East Ayrshire Council v VFS Financial Services Ltd & Others
1541/5/7/22 (T)	The City of Edinburgh Council v VFS Financial Services Ltd
1542/5/7/22 (T)	East Lothian Council v VFS Financial Services Ltd & Others
1543/5/7/22 (T)	East Dunbartonshire Council v VFS Financial Services Limited
1544/5/7/22 (T)	Fife Council v VFS Financial Services Ltd & Others
1545/5/7/22 (T)	Midlothian Council v VFS Financial Services Ltd & Others
1546/5/7/22 (T)	Glasgow City Council v VFS Financial Services Ltd & Others
1547/5/7/22 (T)	Dundee City Council v VFS Financial Services Ltd & Others
1548/5/7/22 (T)	Scottish Water v VFS Financial Services Limited & Others
1549/5/7/22 (T)	West Lothian Council v VFS Financial Services Ltd & Others
1550/5/7/22 (T)	Perth & Kinross Council v VFS Financial Services Limited
1551/5/7/22 (T)	Stirling Council v VFS Financial Services Limited & Others
1552/5/7/22 (T)	Renfrewshire Council v VFS Financial Services Ltd & Others
1553/5/7/22 (T)	South Ayrshire Council V VFS & Others
1554/5/7/22 (T)	The North Ayrshire Council v VFS Financial Services Limited
1555/5/7/22 (T)	Western Isles Council v VFS Financial Services & Others
1556/5/7/22 (T)	West Dunbartonshire Council v VFS Financial Services
1557/5/7/22 (T)	North Lanarkshire Council v VFS Financial Services Ltd
1558/5/7/22 (T)	Scottish Borders Council v VFS Financial Services Limited
1559/5/7/22 (T)	Dundee CC & Others t/a Tayside Contracts v VFS FS Ltd & Others
1560/5/7/22 (T)	Aberdeenshire Council v VFS Financial Services Ltd & Others
1561/5/7/22 (T)	Argyll and Bute Council v VFS Financial Services Limited
1562/5/7/22 (T)	East Renfrewshire Council v VFS Financial Services Limited
1563/5/7/22 (T)	South Lanarkshire Council v VFS Financial Services Limited
1564/5/7/22 (T)	Grahams The Family Dairy (Processing Ltd) v CNH Industrial
1565/5/7/22 (T)	Grahams The Family Dairy Ltd v CNH Industrial N.V.
1566/5/7/22 (T)	Graham's Dairies Limited v CNH Industrial N.V.

## ANNEX 2: OVERVIEW OF THE PARTIES

<b>Definition</b>	<b>Description</b>
<b>The Arla Claimants</b>	The Claimants in Case No: 1296/5/7/18
<b>The Edwin Coe Claimants</b>	The Claimants in Case Nos: 1338/5/7/20 (T), 1417/5/7/21 (T), 1420/5/7/21 (T) and 1594/5/7/23 (T).
<b>The Asda Claimants</b>	The Claimants in Case No: 1578/5/7/23 (T).
<b>The DS Smith Claimants</b>	The Claimants in Case No: 1343/5/7/20 (T).
<b>The Adur Claimants</b>	The Claimants in Case No: 1431/5/7/22 (T).
<b>The Boots Claimants</b>	The Claimants in Case No: 1616/5/7/23 (T).
<b>The Hausfeld Claimants</b>	The Claimants in Case Nos: 1355/5/7/20 (T), 1356/5/7/20 (T), 1358/5/7/20 (T), 1371/5/7/20 (T) and 1372/5/7/20 (T).
<b>The BCLP Claimants</b>	The Claimants in Case Nos: 1360/5/7/20 (T), 1361/5/7/20 (T) and 1362/5/7/20 (T)
<b>The Morrisons Claimants</b>	The Claimants in Case No: 1521/5/7/22 (T)
<b>The Northern Irish Plaintiffs</b>	The Plaintiffs in cases filed in Northern Ireland as set out in Annex 1.
<b>The Scottish Pursuers</b>	The Pursuers in cases filed in Scotland as set out in Annex 1.
<b>The Defendants</b>	The Defendant Manufacturing Groups of DAF, MAN, Iveco, Volvo/Renault, Daimler and Scania in relation to the cases listed in Annex 1.