



CASE NO.: 1379/5/7/20

IN THE COMPETITION
APPEAL TRIBUNAL

B E T W E E N:

KERILEE INVESTMENTS LIMITED

Claimant

AND

INTERNATIONAL TIN ASSOCIATION LIMITED

Defendant

ORDER

UPON the Tribunal ordering in its Ruling dated 10 January 2025 (the “**Ruling**”) that the Claimant shall pay further security for the Defendant’s costs in the sum of £575,000 by way of a payment in cash into the Tribunal by 21 February 2025

AND UPON the Tribunal’s Order dated 5 February 2025 extending (i) the deadline for the Claimant to pay that security for costs to 28 February 2025, and (ii) the deadline for the filing and service of the Claimant’s reply economics expert report (which marks the beginning of the stage of the proceedings to which the above security for costs relates) to 21 March 2025

AND UPON the Claimant making an application on 26 February 2025 to vary the Ruling in relation to: (i) the form of security for costs; and (ii) the deadline for providing security (the “**Variation Application**”)

AND UPON the Defendant confirming to the Tribunal on 27 February 2025 that it intends to make an application to strike out the Claimant’s claim in the event of non-compliance with the Ruling (the “**Strike Out Application**”)

AND UPON paragraph 18 of the Ruling requiring the Strike Out Application to be heard on an expedited basis with a view to it being resolved prior to 14 March 2025 (i.e. the deadline at the time for the filing and service of the Claimant’s reply economics expert report, now extended to 21 March 2025)

AND UPON the parties filing agreed directions on 4 March 2025

IT IS ORDERED THAT

1. The Variation Application and the Strike Out Application shall be listed to be heard together at a half day remote hearing on 13 March 2025.
2. The Defendant shall file and serve any response to the Claimant’s Variation Application and the Strike Out Application by 4pm on 5 March 2025.
3. The Claimant shall file and serve any response to the Defendant’s Strike Out Application and, if advised, any reply to the Defendant’s response to the Claimant’s Variation Application by 4pm on 10 March 2025.
4. The parties shall file an electronic bundle by 4pm on 11 March 2025.
5. The parties shall file skeleton arguments, limited to 15 pages, by 10:30am on 12 March 2025
6. No order as to costs.

The Honourable Mr Justice Butcher
Chair of the Competition Appeal Tribunal

Made: 5 March 2025
Drawn: 5 March 2025