



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

Case No: As set out in Annex 1

BETWEEN:

**THE SECOND WAVE TRUCKS CLAIMANTS**

Claimants

- v -

**THE SECOND WAVE TRUCKS DEFENDANTS**

Defendants

(the "Second Wave Trucks Proceedings")

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**CONSENT ORDER**

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**UPON the following definitions applying for the purpose of this Order:**

- **“Arla Proceedings”** means the proceedings with case number 1296/5/7/18;
- **“Iveco Defendants”** means the First and Second Defendants in the Arla Proceedings; and
- **“Arla”** means the Claimants in the Arla Proceedings;

**UPON** the Court being informed that the Arla and the Iveco Defendants have agreed confidential terms of settlement

**AND UPON** reading a draft of this order endorsed by the solicitors for Arla and for the Iveco Defendants.

**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:

- (1) The effect of the settlement is that Arla (the "**Settling Claimants**") ceases to have a claim against the Iveco Defendants (the "**Settling Defendants**") and therefore the Settling Claimants ceases to be parties to the Second Wave Trucks Proceedings. To the extent that the Tribunal has any costs jurisdiction over the Settling Claimants and/or the Settling 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.
- (2) Whilst the Settling Defendants (if still a party to the Second Wave Trucks Proceedings) would be entitled, as appropriate, to seek costs orders against those claimants in the Second Wave Trucks Proceedings who have not settled ("**Non-Settling Claimants**"), the Tribunal will be reluctant to order such Non-Settling Claimants to pay costs that are attributable to the Settling Claimants.
- (3) The Tribunal may, accordingly, reduce the costs recoverable by the Settling Defendants (if still a party to the Second Wave Trucks Proceedings) against Non-Settling 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 Settling Claimants.
- (4) Whilst the Settling Claimants (if still a party to the Second Wave Trucks Proceedings) would be entitled, as appropriate, to seek costs orders against those defendants in the Second Wave Trucks Proceedings who have not settled ("**Non-Settling Defendants**"), the Tribunal will be reluctant to order such Non-Settling Defendants to pay costs that are attributable to the Settling Defendants.
- (5) The Tribunal may, accordingly, reduce the costs recoverable by the Settling Claimants (if still a party to the Second Wave Trucks Proceedings) against Non-Settling 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 Settling Defendants.

**BY CONSENT IT IS ORDERED THAT:**

1. The Arla Proceedings be dismissed.
2. There be no order as to costs.

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

Made: 2 May 2025  
Drawn: 7 May 2025

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

Case Number	Case Name
<b>Cases in England</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
1360/5/7/20 (T)	BFS Group Limited & Another v DAF Trucks Limited & 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
1594/5/7/23 (T)	GAP Group Limited 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
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
1616/5/7/23 (T)	Boots & Others v. Traton & Others
1633/5/7/24	Tesco Stores Limited & anor v Scania (Great Britain) limited & others
<b>Cases in Northern Ireland</b>	
1536/5/7/22 (T)	C Faulkner & Sons v Aktiebolaget Volvo (Publ)
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
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
1682/5/7/24 (T)	John Rodgers Limited -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
1703/5/7/25 (T)	AH Fuel Oils Limited v AB Volvo
1704/5/7/25 (T)	Anthony McLornan Trading as McLornan Transport v Renault SAS
1705/5/7/25 (T)	Hyland Fuels (N.I) Limited v AB Volvo
1706/5/7/25 (T)	J Stockdale and Son Limited v AB Volvo
1707/5/7/25 (T)	J.C. Campbell (N.I.) Limited v AB Volvo
1708/5/7/25 (T)	JH Irwin & Son (Fuels) Limited -v- AB Volvo
1709/5/7/25 (T)	McHugh’s Oil Limited -v- AB Volvo
1710/5/7/25 (T)	Niall McCann trading as NMC Haulage -v- AB Volvo
1711/5/7/25 (T)	Cynthia Beattie t/a Beattie Transport -v- AB Volvo
1714/5/7/25 (T)	J.C. Campbell (N.I.) Limited -v- Daimler AG
1715/5/7/25 (T)	Derek O’Reilly t/a O’Reilly’s The Sweet People -v- Daimler AG
1716/5/7/25 (T)	Patrick Megoran -v- Daimler AG
1717/5/7/25 (T)	Stephen Pollard -v- Daimler AG
1718/5/7/25 (T)	Andrew Ingredients Ltd -v- Daimler AG
1719/5/7/25 (T)	Kieran Quinn t/a Pomeroy Haulage -v- Daimler AG
<b>Cases in Scotland</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