



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

Case No: 1597/5/7/23

BETWEEN:

**GLOBAL-365 PLC & ANOR**

Claimants

- v -

**PAYPOINT PLC & ORS**

Defendants

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**ORDER**

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**UPON** the trial in this Claim 1597/5/7/23 having been listed to be heard jointly with the trial in Claim 1581/5/7/23 (the “**Utilita Claim**”) with a time estimate of 6 weeks to commence on 10 June 2025

**AND UPON** the Tribunal being informed of the settlement of the Utilita Claim on 14 May 2025

**AND UPON** holding the Pre-Trial Review (“**PTR**”) in these proceedings on 16 May 2025

**AND UPON** hearing Counsel for the parties at the PTR

**IT IS ORDERED THAT:**

**SKELETON ARGUMENTS**

1. The parties shall each have permission to file a skeleton argument for trial of up to 60 pages in length.
2. Paragraphs 26 and 27 of the Tribunal’s Order of 31 October 2023 shall be varied as follows:

- (a) The Claimants shall lodge and serve their skeleton argument for the trial by 4pm on 21 May 2025;
- (b) The Defendants shall lodge and serve their skeleton argument for the trial by 4pm on 30 May 2025.

### **CONCURRENT EVIDENCE**

- 3. The Tribunal shall hear concurrent evidence from the parties' experts as follows:
  - (a) Dr Hesmondhalgh (for the Claimants) and Mr Kachhala (for the Defendants) in relation to the operation of the retail energy sector and the operation of prepayment services therein;
  - (b) Mr Hughes (for the Claimants) and Mr Majumdar (for the Defendants) in relation to issues of market definition, dominance, abuse and causation;
  - (c) Mr Hughes (for the Claimants), Mr Majumdar and Dr Anaman (for the Defendants) in relation to the quantum of loss.
- 4. By 4pm on 6 June 2025, the parties shall file a draft protocol, proposed agenda and proposed lists of questions for each of the concurrent evidence sessions referred in to paragraph 3 above, to be agreed insofar as possible (and with any disagreements clearly indicated).
- 5. Following the conclusions of each relevant concurrent evidence session, the parties shall be permitted to cross-examine the relevant experts in relation to those issues if so advised.
- 6. The parties shall not be required to put their full case to the experts in cross-examination.

### **TRIAL LENGTH AND TIMETABLE**

- 7. The time estimate for the trial in these proceedings only is revised to 5 weeks (of sitting and non-sitting days).
- 8. The trial timetable is approved in the form attached at Annex 1 hereto.

**MISCELLANEOUS**

9. Costs in the case.
10. Liberty to apply.

**The Honourable Lord Richardson**  
Chair of the Competition Appeal Tribunal

Made: 20 May 2025  
Drawn: 20 May 2025

**ANNEX 1: TIMETABLE FOR THE GLOBAL-365 v PAYPOINT TRIAL**

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>w/b 9 Jun</b>	non-sitting / reading	<b>Global opening</b>	<b>PayPoint opening</b>	<b>Factual evidence – Global</b>	<b>Factual evidence – Global</b>
<b>w/b 16 Jun</b>	non-sitting	<b>Factual evidence – Global [1/2 day] PayPoint [1/2 day]</b>	<b>Factual evidence – Paypoint</b>	<b>Factual evidence -PayPoint</b>	non-sitting
<b>w/b 23 Jun</b>	non-sitting	<b>Experts – industry CONCURRENT &amp; CROSS- EXAMINATION</b> <hr/> Hesmondhalgh/Kachhala <b>Experts - market def, dominance, abuse &amp; causation</b> <b>CONCURRENT</b> Hughes/Majumdar	<b>Experts - market def, dominance, abuse, causation &amp; loss</b> <b>CONCURRENT</b> Hughes/Majumdar  Anaman (to join concurrent session for discussion of loss only)	non-sitting	non-sitting
<b>w/b 30 Jun</b>	non-sitting	<b>Experts CROSS- EXAMINATION</b>  Hughes	<b>Experts CROSS-EXAMINATION</b>  Hughes /Majumdar	<b>Experts CROSS-EXAMINATION</b>  Majumdar / Anaman	non-sitting
<b>w/b 7 Jul</b>	non-sitting Written closings by 4pm	non-sitting	non-sitting	<b>Global closings PayPoint closings</b>	<b>PayPoint closings Global reply</b>