



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1698/7/7/24

CLARE MARY JOAN SPOTTISWOODE CBE

Applicant/Proposed Class Representative

– and –

(1) AIRWAVE SOLUTIONS LIMITED

(2) MOTOROLA SOLUTIONS UK LIMITED

(3) MOTOROLA SOLUTIONS, INC.

Respondents/Proposed Defendants

DIRECTIONS ORDER

UPON the Proposed Class Representative’s (the **PCR**) application for a collective proceedings order (the **CPO Application**) pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 (the **Tribunal Rules**)

AND HAVING REGARD TO the Tribunal's powers under the Competition Appeal Tribunal Rules 2015 (the “**Tribunal Rules**”) (and, in particular, Rules 53(2)(h), 101 and 102)

AND HAVING REGARD TO the Tribunal’s direction in relation to the disclosure and the management of confidential information under Practice Direction 1/2024

AND UPON the parties having agreed the terms of this Order

BY CONSENT IT IS ORDERED THAT:

Forum

1. Pursuant to Rules 18, 52 and 74 of the Tribunal Rules, the proceedings are to be treated as proceedings in England and Wales.

Publicity

2. By 4pm on 16 May 2025 the PCR shall publicise:
 - (a) The CPO Applications in accordance with the proposal set out in Sections 6-7 of the PCR's Notice and Administration Plan, as exhibited to the First Witness Statement of Clare Mary Joan Spottiswoode CBE;
 - (b) The right of persons with an interest in the CPO Applications to object to the CPO Applications; and
 - (c) The right of members of the proposed classes to apply to the Tribunal for permission to make oral submissions at the CPO Hearing.

Confidentiality

3. The Parties are to liaise and agree the terms of a confidentiality ring and shall file an agreed draft order with the Tribunal by 4 pm on 9 May 2025. In the event that the parties cannot reach agreement, they shall file a composite draft showing the areas of agreement and disagreement for the Tribunal to determine on the papers.

Disclosure

4. The Proposed Defendants shall:
 - (a) as an initial step, provide disclosure and inspection (into the Confidentiality Ring established in these proceedings) of the Motorola Version of the Final Report and appendices in its possession ("**Motorola Version**") by 4:00 pm on the day two business days after an order establishing a Confidentiality Ring has been made and the PCR's representatives have filed undertaking required by that order with the Tribunal. The Motorola Version will be a version of the Final Report in which passages containing information which is confidential to the Proposed Defendants, or

which is confidential to the Proposed Defendants and the Home Office as contractual counterparties and which is in the possession of the Proposed Defendants, will be unredacted, but any redactions to passages pertaining to third parties will remain; and

(b) jointly with the PCR approach the CMA by 20 May 2025 to arrange for release of a less redacted confidential version of the Final Report and appendices (“**Less Redacted Version**”) into the Confidentiality Ring, including obtaining necessary consents from any third parties for the lifting of redactions of their personal and/or commercially sensitive information (the “**Third Party Consent Process**”), and subsequently take reasonable steps to liaise with the CMA to facilitate the same.

5. If the CMA raises questions or requests for assistance in accordance with paragraph 4(b) of this Order, the Parties will respond to the CMA within 5 working days of the CMA outlining its position in writing to the Parties.
6. The Parties shall update the Tribunal on the progress of the Third Party Consent Process (included copies of correspondence with the CMA if required) at the CPO Hearing.

Response and Replies to the CPO Application

7. The Proposed Defendants shall have permission to adduce expert evidence in the field of competition economics.
8. By 4pm on the day two weeks after the Motorola Version is disclosed, the PCR shall indicate to the Proposed Defendants any amendments that she intends to make to the CPO Application in light of the material contained in the Motorola Version that was redacted in the publicly available version of the Final Report and appendices.
9. If the PCR seeks to file and serve an amended CPO Application, the parties will liaise to seek to agree an amended timetable (if required) for the Proposed Defendants to file and serve a Response, and for the PCR to file and serve any Reply to the Response.
10. If the PCR does not seek to amend her CPO Application:
 - (a) By 4pm on 13 June 2025, the Proposed Defendants shall file and serve a single Response to the CPO Application (together with any factual and expert evidence if so advised).

- (b) The PCR shall file and serve any Reply to the Response (together with any factual evidence and/or expert evidence in the field of competition economics) by 4pm on 18 July 2025.

CPO Hearing

11. The CPO Hearing shall be listed on 12 and 15 September 2025 with a time estimate of two days with two days reading in.
12. The parties shall seek to agree the hearing and authorities bundles in accordance with the Tribunal's Guide and Practice Direction of 17 March 2025. The PCR shall file agreed hearing bundles for the CPO Hearing by 4pm on 3 September 2025. The parties shall file the agreed authorities bundle by 4pm on 9 September 2025. The bundles shall be filed in electronic form, save that one hard copy volume of the agreed core hearing bundle (printed double-sided) should also be filed and served at the same time.
13. The parties shall file and exchange skeleton arguments for the CPO Hearing by 4pm on 5 September 2025.
14. The parties shall inform the Tribunal if they intend to use a document management platform for the hearing.

Objections to the CPO Applications and applications for permission to make observations

15. The persons referred to in paragraphs 2(b) and 2(c) above may (as applicable) object to the CPO Applications and/or seek permission to make oral submissions at the CPO Hearing by 4pm on 4 July 2025.
16. Any third party with a legitimate interest (who is not a member of the proposed class) who seeks permission to make written and/or oral observations at the CPO Application hearing is to make such application, supported by reasons, to the Tribunal by 4pm on 4 July 2025.

General

17. Costs in the case.

18. There shall be liberty to apply.

The Honourable Mrs Justice Bacon
Chair of the Competition Appeal Tribunal

Made: 8 May 2025

Drawn: 9 May 2025