



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

**Case No: As set out in Annex 2 to this Order**

IN THE MATTER OF:

**THE SECOND WAVE TRUCKS PROCEEDINGS**

PARTIES TO THIS ORDER:

- (1) **THE EDWIN COE CLAIMANTS** (as set out in Annex 2 to this Order).
- (2) **THE ASDA CLAIMANTS** (as set out in Annex 2 to this Order).
- (3) **THE MORRISONS CLAIMANTS** (as set out in Annex 2 to this Order).
- (4) **THE BOOTS CLAIMANTS** (as set out in Annex 2 to this Order).
- (5) **THE SCOTTISH PURSUERS** (as set out in Annex 2 to this Order).
- (6) **THE DEFENDANTS** (as set out in Annex 2 to this Order).

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**ORDER**

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**UPON** the Order of the Chair made following the hearing on 21 and 22 October 2024 in the Proceedings on 21 November 2024 (the "**Directions Order**")

**AND UPON** the letter from Mishcon de Reya LLP on behalf of certain of the Active Claimants in the Proceedings dated 22 May 2025 (the "**MdR Letter**")

**AND UPON** the letter from Pinsent Masons LLP on behalf of the Defendants in the Proceedings dated 23 May 2025 in response to the MdR Letter

**AND UPON** the Order of the Chair made on 27 May 2025 in relation to the extension of the deadline for parties to exchange Positive Cases

**AND UPON** the Tribunal's letter to the parties dated 27 May 2025 in relation to (among other things): (i) the extension of the deadline for parties to exchange Positive Cases, (ii) the listing of a case management conference for 21 July 2025 (the "**July CMC**"); and (iii) the Tribunal's request that the parties inform the Tribunal of any proposed consequential amendments to the Directions Order by 30 May 2025

**AND UPON** the letter from Mishcon de Reya LLP in relation to certain amendments to the Directions Order

**AND HAVING REGARD TO** the Tribunal's powers under the Competition Appeal Tribunal Rules 2015

**IT IS ORDERED THAT:**

1. The parties shall exchange data packs which accompany expert reports as soon as possible following the exchange of Positive Cases and in any event by midday on 25 June 2025.
2. Paragraphs 24 and 25 of the Directions Order shall be amended as follows:

(a) A party (the “**Requesting Party**”) may, by no later than 4pm on 18 July 2025, request from another party (the “**Receiving Party**”) further information concerning the Receiving Party's Positive Case, including by way of requests for documents, information and / or data (a “**Further Data Request**”). Further Data Requests must be narrow in nature, must be justified, and must concern matters reasonably necessary for the Requesting Party to understanding the Receiving Party's Positive Case and / or to advance the Requesting Party's Negative Case. When making a Further Data Request, the Requesting Party shall produce a document containing the following information:

(i) in the first column, the Further Data Request; and

(ii) in the second column, the reasons why the Requesting Party and/or its respective experts are of the opinion that the documents, information and / or data requested are necessary and proportionate for the preparation of their Negative Cases.

(b) By 4pm on 1 August 2025, any Receiving Party shall, in respect of each Further Data Request, inform the Requesting Party whether it will provide a substantive response to the Further Data Request and, if so, whether it is able to provide such response by 12 September 2025. When informing the Requesting Party of its position regarding a Further Data Request, the Receiving Party and / or its respective experts shall set out the following information in a version of the document prepared by the Requesting Party above:

(i) in the third column, whether or not they agree to provide a substantive response by 12 September 2025; and

(ii) in the fourth column, if they do not agree, why they consider the information is not necessary or proportionate for the preparation of Negative Cases.

(c) By 4pm on 29 August 2025, the Requesting Party and the Receiving Party (and / or their respective experts) shall:

(i) meet on a without prejudice basis to discuss the requests and responses provided pursuant to paragraphs (a) and (b) above; and

(ii) set out (on an open basis) in the fifth column of the document the result of the meeting in relation to that request, and in the sixth column the precise nature of any disagreement in relation to any outstanding request.

(d) By 4pm on 5 September 2025, the Requesting Party may apply for a direction that the Receiving Party answer the Further Data Request.

(e) Any such applications as referred to at paragraph 1(d) of this Order shall be heard at a Case Management Conference listed on 19 September 2025.

3. The date at paragraph 35 of the Directions Order shall be amended to 11 July 2025.

4. No order as to costs.

5. There be liberty to apply.

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

Made: 16 June 2025  
Drawn: 16 June 2025

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

<b>Case Number</b>	<b>Case Name</b>
<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

## **ANNEX 2: OVERVIEW OF THE PARTIES**

<b>Definition</b>	<b>Description</b>
<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 Boots Claimants</b>	The Claimants in Case No: 1616/5/7/23 (T).
<b>The Morrisons Claimants</b>	The Claimants in Case No: 1521/5/7/22 (T)
<b>The Scottish Pursuers</b>	The Pursuers in cases filed in Scotland as set out in Annex 1.
<b>The Defendants</b>	Entities from the groups of DAF, MAN, Iveco, Volvo/Renault and Scania insofar as a Defendant or Third Party to the Second Wave Trucks Proceedings.