



COMPETITION APPEAL TRIBUNAL

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case: 1026/2/3/04

BEFORE:

**Sir Christopher Bellamy (President)
Professor John Pickering
Patricia Quigley WS**

FREESERVE.COM PLC

Appellant

-v-

THE OFFICE OF COMMUNICATIONS

Respondent

Supported by

BT GROUP PLC

Intervener

ORDER OF THE TRIBUNAL

UPON reading the notice of appeal dated 20 January 2004

AND UPON hearing counsel for the parties at a case management conference on 27 February 2004

AND UPON the appellant agreeing to provide as soon as practicable an official copy of the European Commission's decision in Case COMP/38.233 Wanadoo Interactive and unofficial translation of that decision to the Tribunal and the other parties

AND UPON the appellant agreeing to obtain such information as it is able on the stance being taken by Wanadoo Interactive SA and the European Commission in the action brought on 2 October 2003 by Wanadoo Interactive SA (Case T-340/03) and to communicate that information to the Tribunal and the other parties

AND UPON OFCOM indicating through counsel its intention to file and serve its defence by 5 pm on 3 March 2004 as required by rule 14(1) of the Competition Appeal Tribunal Rules 2003 (SI 2003/1372)

IT IS ORDERED THAT:

1. BT file and serve its statement of intervention by 5 pm on 2 April 2004.
2. If so advised, the appellant file and serve a reply to the defence by 5 pm on 30 April 2004.

3. If so advised, the respondent file and serve a response to the statement of intervention by 5 pm on 30 April 2004.
4. The parties file their written observations on the issues arising in the appeal to be agreed as far as possible by 5 pm on 28 May 2004.
5. A further case management conference be listed on 4 June 2004 at a time and location to be notified to the parties.
6. The main hearing be listed for 5 July 2004 with a time estimate of 1 to 2 days at a time and location to be notified to the parties.
7. There be liberty to apply.

Sir Christopher Bellamy
President of the Competition Appeal Tribunal

Made: 27 February 2004
Drawn 27 February 2004