



Case No. 1028/5/7/04

IN THE COMPETITION APPEAL TRIBUNAL

**Before:
Sir Christopher Bellamy (President)
Professor Andrew Bain
Marion Simmons QC**

- (1) BCL OLD CO LIMITED**
- (2) DFL OLD CO LIMITED**
- (3) PFF OLD CO LIMITED**

Claimants

-and-

- (1) AVENTIS SA**
- (2) RHODIA LIMITED**
- (3) F HOFFMANN-LA ROCHE AG**
- (4) ROCHE PRODUCTS LIMITED**

Defendants

ORDER

UPON reading the claim for damages dated 30 January 2004

UPON reading the defence of the First and Second Defendants dated 7 May 2004 and the defence of the Third and Fourth Defendants dated 10 May 2004

AND UPON hearing Counsel for the parties at the case management conference on 26 July 2004

IT IS ORDERED THAT:

1. The Claimants provide evidence of their ownership of the right to pursue the claims in this matter by 30 July 2004.
2. The parties shall exchange lists of documents for disclosure by 21 September 2004 in accordance with the categories of documents set out in Annex 1 to this Order.
3. The parties shall indicate to each other within 2 days of the exchange of lists of documents for disclosure which copies they wish to receive copies of. Any such copies provided to be subject to agreement to pay all reasonable costs of copying.
4. The parties shall provide copies of any documents listed that are requested by the other party within 5 days of receiving notice from the other party as to which documents that party wishes to receive copies of.
5. The Defendants shall serve witness statements of fact by 9 November 2004.
6. The Claimants shall serve any further witness statements of fact by 23 November 2004.
7. A further case management conference be listed for 7 December 2004.
8. The Third and Fourth Defendants notify Linklaters that they have produced to the Tribunal a letter from Linklaters to Freshfields Bruckhaus Deringer dated 21 February 2003 and indicate to Linklaters that they may submit comments to the Tribunal on the production of that letter if so advised.
9. Costs of this Case Management Conference to be costs in the case.
10. There be liberty to apply.

Sir Christopher Bellamy
President of the Competition Appeal

Made 26 July 2004
Drawn August 2004