



**IN THE COMPETITION
APPEAL TRIBUNAL**

Case Nos: 1275-1276/1/12/17

BETWEEN

**(1) FLYNN PHARMA LIMITED
(2) FLYNN PHARMA (HOLDINGS) LIMITED**

Appellants

-v-

COMPETITION AND MARKETS AUTHORITY

Respondent

AND BETWEEN

**(1) PFIZER INC.
(2) PFIZER LIMITED**

Appellants

-v-

COMPETITION AND MARKETS AUTHORITY

Respondent

ORDER

UPON reading the submissions filed on behalf of (1) Flynn Pharma Limited and Flynn Pharma (Holdings) Limited (“Flynn”); (2) Pfizer Inc. and Pfizer Limited (“Pfizer”); and (3) the Competition and Markets Authority (“CMA”) in advance of the second case management conference on 27 June 2017 (the “Second CMC”)

AND UPON the CMA requesting permission to adduce a second expert report from Mr Harman

AND UPON Pfizer requesting permission to cross-examine one of Flynn’s witnesses, Mr Beighton, at the hearing

AND UPON hearing counsel for the parties at the Second CMC

IT IS ORDERED THAT:

Evidence

1. The CMA has permission to adduce a concise responsive report from Mr Harman in answer to Flynn's and Pfizer's reply evidence (the "Second Harman Report")
2. The CMA shall file and serve the Second Harman Report by 4pm on 7 July 2017.
3. Flynn and Pfizer each have permission to file a concise responsive report in answer to the Second Harman Report.
4. Flynn and Pfizer (if so advised) shall file and serve their responsive reports by 4pm on 31 July 2017.
5. Pfizer has permission to cross-examine Mr Beighton during the hearing.

Pre-trial review

6. A pre-trial review shall be listed on 28 September 2017 with a time estimate of half a day.

Hearing bundle and skeleton arguments

7. The parties are to liaise amongst each other and with the Tribunal's Registry to agree the content and labelling of the hearing bundle. Five hard copies of the hearing bundle are to be lodged at the Tribunal by 4pm on 22 September 2017.
8. Flynn and Pfizer shall file and serve their skeleton arguments by 4pm on 13 October 2017.
9. The CMA shall file and serve its skeleton argument by 4pm on 20 October 2017.
10. Five hard copies of an agreed set of authorities bundles are to be lodged at the Tribunal by 4pm on 25 October 2017.
11. Costs be reserved.
12. There be liberty to apply.