



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

Case No: 1528/5/7/22 (T)

BETWEEN:

**VOLKSWAGEN AG & OTHERS**

Claimants

- v -

- (1) **MOL (EUROPE AFRICA) LTD**
- (7) **“K”-LINE HOLDING (EUROPE) LTD**
- (8) **“K”-LINE (EUROPE) LTD**
- (9) **KAWASAKI KISEN KAISHA, LTD**

Defendants / Rule 39 Claimants

- and -

**NIPPON YUSEN KABUSHIKI KAISHA**

Part 20 Defendant / Rule 39 Defendant

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**ORDER**

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**UPON** the Claimants’ claims against the Defendants and the Defendants’ claims against the Part 20 Defendant

**AND UPON** the Consent Order of the Honourable Mr Justice Calver dated 20 June 2022 transferring the proceedings to the Competition Appeal Tribunal with effect from the sealed date of the order made following the first case management conference in these proceedings

**AND UPON** the Order of the Honourable Mr Justice Picken made at the first case management conference held on 14 July 2022 and sealed on 19 August 2022 (the “**CMC Order**”)

**AND UPON** the Tribunal's Order made by consent on 4 October 2022 extending the time limit set out in paragraph 14.2 of the CMC Order (the "**First Extension Order**")

**AND UPON** considering the request made by letter dated 21 October 2022 from the solicitors for the First Defendant for a further extension of seven days to the time limit set out in paragraph 14.2 of the CMC Order (as amended by the First Extension Order)

**AND UPON** considering the letter dated 24 October 2022 from the solicitors for the Claimants in response, submitting that the First Defendant's request should be dismissed

**IT IS ORDERED THAT:**

1. Paragraph 14.2 of the CMC Order (as amended by the First Extension Order) shall be varied such that, in the absence of agreement between the Claimants and First Defendant regarding the list of custodians and the date by which disclosure and inspection shall be given in accordance with paragraph 14 of the CMC Order, the parties shall by 4pm on 28 October 2022 make submissions in writing, for consideration by the CAT.
2. Costs in the case.

**REASONS:**

The extension sought is a short one and on balance it would be preferable for the parties to have this short further period to see if issues can be resolved or narrowed. However no further extension is likely to be granted. I also deprecate the lateness of the application. Applications should be made in sufficient time to enable a decision to be made before a deadline.

**The Hon Mrs Justice Cockerill DBE**  
Chair of the Competition Appeal Tribunal

Made: 26 October 2022  
Drawn: 27 October 2022