



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1602/7/7/23

BETWEEN:

CHRISTINE RIEFA CLASS REPRESENTATIVE LIMITED

Proposed Class Representative

- v -

(1) APPLE INC.

(2) APPLE DISTRIBUTION INTERNATIONAL LIMITED

(3) AMAZON.COM, INC.

(4) AMAZON EUROPE CORE S.À.R.L.

(5) AMAZON SERVICES EUROPE S.À.R.L.

(6) AMAZON EU S.À.R.L.

(7) AMAZON.COM SERVICES LLC

Proposed Defendants

ORDER

UPON the application for a Collective Proceedings Order (“**CPO**”) brought by Christine Riefa Class Representative Limited (the “**PCR**”) on 25 July 2023 (Case No. 1602/7/7/23)

AND UPON the PCR applying to amend the Claim Form

AND UPON the hearing of the CPO application (the “**Certification Hearing**”) on 12 July 2024

AND UPON the Tribunal at the Certification Hearing raising certain questions in respect of the confidentiality of funding terms, the funding terms agreed, the suitability of the PCR, the claim period in the draft amended Claim Form and requiring these to be addressed at a further certification hearing (the “**Further Certification Hearing**”)

IT IS ORDERED THAT:

Further evidence and amended Claim Form

1. The PCR to file (a) evidence, including a witness statement from Prof. Christine Riefa, by 4pm on 26 July 2024 in respect of (i) the confidentiality of the arrangements for funding, (ii) the basis on which the PCR was satisfied as to the appropriateness of those arrangements, including the levels of return, and (iii) the suitability of the PCR to scrutinise independently those arrangements for the benefit of the proposed class; and (b) a revised draft Amended Claim Form addressing the claim period and what is said by the PCR’s expert in relation to assessing damages for that period.
2. The PCR shall by 4pm on 2 August 2024 file updated versions of the funding documents, Litigation Plan and any other relevant documents which require amendment in light of the amended funding arrangements.

Responses and replies

3. The Proposed Defendants to file any evidence in response to the PCR’s evidence by 4pm on 9 August 2024.
4. The PCR to file any evidence in reply to the Proposed Defendants’ responses by 4pm on 16 August 2024.
5. The Proposed Defendants to apply by 4pm on 30 August 2024 if they seek to cross-examine Prof. Christine Riefa at the Further Certification Hearing.

Skeleton arguments and bundles

6. The parties shall file and serve skeleton arguments by 4pm on 12 September 2024.
7. The PCR shall file an agreed electronic bundle for the hearing and an agreed electronic authorities bundle by 4pm on 18 September 2024.

8. Hard copy versions of the electronic bundles, if requested by the Registry, are to be provided to the Tribunal as soon as possible following such request being made.

Further certification hearing

9. The Further Certification Hearing to be heard on 24 September 2024 with a time estimate of one day.

Costs

10. Costs are reserved.
11. Liberty to apply.

The Hon Mrs Justice Bacon
Chair of the Competition Appeal Tribunal

Made: 17 July 2024
Drawn: 17 July 2024