



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1382/7/7/21

BETWEEN:

CONSUMERS' ASSOCIATION

Class Representative

- v -

QUALCOMM INCORPORATED

Defendant

ORDER

UPON the Tribunal's Order made following the fifth case management conference in these proceedings on 29 and 30 July 2024 (the "Fifth CMC Order")

AND UPON paragraph 3(b) of the Class Representative's application for the fifth case management conference dated 10 July 2024

AND UPON the Defendant's agreement to provide disclosure of the requested disclosure as set out in paragraph 24(a) of Caroline Thomas' Seventh Witness Statement

AND UPON reading a letter from Hausfeld & Co. LLP on behalf of the parties dated 10 September 2024

AND HAVING REGARD TO the Tribunal's powers under the Competition Appeal Tribunal Rules 2015

IT IS ORDERED BY CONSENT THAT:

1. References in the below paragraphs to defined terms are to the defined terms set out in the Tribunal's order dated 24 July 2023.

2. Qualcomm shall conduct reasonable and proportionate searches for datasets showing the value and volume of chipsets sold by Qualcomm entities that support the 5G standard for 5G-enabled smartphones, broken down by OEM customer and, when applicable, contract manufacturer.
3. Qualcomm shall provide disclosure of any datasets located as a result of the searches described in paragraph 2 above, by no later than 4pm on 27 September 2024. The disclosure shall be accompanied by:
 - (a) A disclosure statement by an appropriate person who shall (a) set out the extent of the search that has been made in order to locate the documents ordered to be disclosed; (b) specify the manner in which the search has been limited on reasonableness and proportionality grounds and why; (c) specify whether any redactions have been made to the documents ordered to be disclosed and why; and (d) certify that to the best of their knowledge and belief that the disclosure ordered has been provided.
 - (b) A table listing, in respect of each disclosed document, the Bates number, date of disclosure and confidentiality designation pursuant to the Revised Confidentiality Ring Order.
4. There be liberty to apply.
5. Costs in the case.

The Hon. Mrs Justice Bacon
Chair of the Competition Appeal Tribunal

Made: 11 September 2024
Drawn: 11 September 2024