



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1517/11/7/22 (UM)
1266/7/7/16

BETWEEN:

THE UMBRELLA INTERCHANGE FEE CLAIMANTS

- v -

THE UMBRELLA INTERCHANGE FEE DEFENDANTS

(the "**Merchant Interchange Fee Umbrella Proceedings**")

AND BETWEEN:

WALTER HUGH MERRICKS CBE

Class Representative

(the "**Merricks Class Representative**")

- v -

(1) MASTERCARD INCORPORATED
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE S.P.R.L.

The Merricks Defendants

(the "**Merricks Collective Proceedings**")

(together, the "**Proceedings**")

ORDER

UPON the Order of the Tribunal made on 26 September 2024 setting out the directions for revision of the Redfern Schedules (the "**Responses to Redfern Requests Order**")

AND UPON the Order of the Tribunal made on 7 October varying the Responses to Redfern Requests Order (the "**Amended Responses to Redfern Requests Order**")

AND UPON reading the application by Mastercard to vary the abovementioned Orders, as set out in the letter from Jones Day dated 10 October 2024 (the "**Application**")

AND UPON reading Primark's objection to the Application, as set out in the email from Hausfeld dated 10 October 2024

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

IT IS ORDERED THAT:

1. Paragraph 2(c) of the Responses to Redfern Requests Order and paragraph 1(a) of the Amended Responses to Redfern Requests Order shall be amended to read as follows:

By 4pm on 10 October 2024, the Visa Defendants and the Merricks Class Representative shall file with the Tribunal a version of the Revised Redfern Schedules containing only the Requests in respect of which they seek a determination from the Tribunal (the "Pursued Requests") and the corresponding Responses, Replies and Rejoinders, along with a brief statement from the relevant Requesting Party as to why, in light of the Rejoinder, the Request remains live.

2. A new paragraph 2(d) shall be added to the Responses to Redfern Requests Order as follows:

By 4pm on 14 October 2024, the Mastercard Defendants shall file with the Tribunal a consolidated version of their Revised Redfern Schedules containing only their Pursued Requests and the corresponding Responses, Replies and Rejoinders, along with a brief statement from the Mastercard Defendants as to why, in light of the Rejoinder, the Request remains live.

3. Paragraph 3(c) of the Responses to Redfern Requests Order shall be amended to read as follows:

Thereafter, the process in respect of the Refused Mastercard Requests shall follow the steps set out in paragraph 2 above save that (i) references in paragraph 2 above to the Requesting Parties are to be read as references to the Mastercard Defendants only; (ii) the live Refused Mastercard Requests shall be addressed in the consolidated Redfern Schedule referred to at paragraph 2(d) above, and (iii) the deadlines for the steps shall in each case be one week later than those set out in paragraph 2(a) and (b), save for the deadline to file the

Pursued Refused Mastercard Requests with the Tribunal which is also 4pm on
14 October 2024.

4. No order as to costs.
5. There shall be liberty to apply.

Ben Tidswell
Chair of the Competition Appeal Tribunal

Made: 11 October 2024
Drawn: 11 October 2024