



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1517/11/7/22 (UM)
1504/5/7/22 (T)

BETWEEN:

- (1) ALLIANZ INSURANCE PLC
- (2) ALLIANZ BUSINESS SERVICES LIMITED
- (3) FAIRMEAD INSURANCE LIMITED
- (4) HOME AND LEGACY INSURANCE SERVICES LIMITED
- (5) LIVERPOOL VICTORIA INSURANCE COMPANY LIMITED
- (6) PET PLAN LIMITED

Claimants

- v -

- (1) MASTERCARD INCORPORATED
- (2) MASTERCARD INTERNATIONAL INCORPORATED
- (3) MASTERCARD EUROPE S.A.
- (4) MASTERCARD/EUROPAY U.K. LIMITED

Defendants

CONSENT ORDER

UPON the claim form in these proceedings being issued in the High Court on 6 November 2020 (CP-2020-000018) (the “**Claim Form**”)

AND UPON READING the Order of the Chancellor of the High Court dated 7 April 2022 (as amended) transferring the various cases listed in the schedule to that order (which included these proceedings) to the Competition Appeal Tribunal (the “**Transfer Order**”)

AND UPON the Umbrella Proceedings Order of the President dated 4 July 2022 designating these proceedings as a Host Case in Case No 1517/11/7/22 (UM) (the “**Merchant Interchange Fee Umbrella Proceedings**”)

AND UPON the Claim Form in these proceedings being served on the Defendants on 17 November 2022

AND UPON the Particulars of Claim in these proceedings being served on the Defendants on 27 February 2024

AND UPON the Claimants' application by letter from Pinsent Masons LLP to the Tribunal dated 30 April 2024 seeking permission to amend their Claim Form to add a new head of claim based on an alleged infringement of competition law contrary to Article 102 of the Treaty on the Functioning of the European Union and/or Article 54 of the EEA Agreement and/or Chapter II of the UK Competition Act 1998 (the "**Claimants' Amendment Application**")

AND UPON the Order of the President dated 10 May 2024 adjourning the Claimants' Amendment Application

AND UPON each of Allianz Business Services Limited and Home and Legacy Insurance Services Limited having assigned to Allianz Holdings Plc all claims they each have against the Defendants in the Merchant Interchange Fee Umbrella Proceedings (each, an "**Assignment**")

AND UPON Allianz Holdings Plc accepting that it is liable for any order for costs that might be made in the proceedings relating to costs incurred prior to the date of each Assignment which relate to or are attributable to Allianz Business Services Limited and/or Home and Legacy Insurance Services Limited, and that it will not argue to the contrary on the basis that it was not a party to the proceedings during such periods

AND UPON the Defendants expressly reserving their position in respect of whether parts of the Amended Particulars of Claim are liable to be struck out for advancing claims which go beyond the scope of the Amended Claim Form pending determination of the Claimants' Amendment Application

AND UPON the parties having agreed to the terms of the Order set out below

IT IS ORDERED BY CONSENT THAT:

1. Allianz Holdings Plc be substituted as Claimant in place of the Second Claimant, Allianz Business Services Limited, and in place of the Fourth Claimant, Home and Legacy Insurance Services Limited, pursuant to Rule 38 of the Competition Appeal Tribunal Rules 2015.
2. The Claim Form and Particulars of Claim be amended to effect the above substitutions in the form provided to the Tribunal on 16 September 2024 (the "**Amended Claim Form**" and "**Amended Particulars of Claim**", respectively).
3. The Amended Claim Form and Amended Particulars of Claim be verified by a statement of truth and filed with the Tribunal within seven days of the date of this Order.
4. A copy of the Amended Claim Form and Amended Particulars of Claim, be provided to the Defendants at the same time as they are filed with the Tribunal and formal service be dispensed with.
5. Costs in the case.

Ben Tidswell

Chair of the Competition Appeal Tribunal

Made: 8 October 2024

Drawn: 9 October 2024