



**IN THE COMPETITION APPEAL TRIBUNAL**

Case No: 1440/7/7/22

BETWEEN:

**CLARE MARY JOAN SPOTTISWOODE CBE**

Class Representative

- v -

- (1) NEXANS FRANCE S.A.S.**  
**(a company incorporated under the laws of France)**  
**(2) NEXANS S.A.**  
**(a company incorporated under the laws of France)**  
**(3) NKT A/S (formerly NKT HOLDING A/S)**  
**(a company incorporated under the laws of Denmark)**  
**(4) NKT VERWALTUNGS GMBH (formerly NKT CABLES GMBH)**  
**(a company incorporated under the laws of Germany)**  
**(5) PRYSMIAN CAVI E SISTEMI S.R.L.**  
**(a company incorporated under the laws of Italy)**  
**(6) PRYSMIAN S.P.A.**  
**(a company incorporated under the laws of Italy)**

Defendants

(the “Spottiswoode Proceedings”)

Case No: 1518/5/7/22

BETWEEN:

- (1) LONDON ARRAY LIMITED**  
**(2) RWE RENEWABLES UK LONDON ARRAY LIMITED (FORMERLY KNOWN AS E.ON CLIMATE & RENEWABLES UK LONDON ARRAY LIMITED)**  
**(3) ORSTED LONDON ARRAY LIMITED (FORMERLY KNOWN AS DONG ENERGY LONDON ARRAY LIMITED)**  
**(4) ORSTED LONDON ARRAY II LIMITED (FORMERLY KNOWN AS DONG ENERGY LONDON ARRAY II LIMITED)**  
**(5) MASDAR ENERGY UK LIMITED**

Claimants

- v -

- (1) NEXANS FRANCE S.A.S.**  
**(2) NEXANS S.A.**

Defendants

(the “London Array Proceedings”)

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**CONSENT ORDER (FACTUAL EVIDENCE)**

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**UPON** paragraph 7 of the Directions Order made by the Tribunal on 22 May 2024 (the “**Directions Order**”) which provides for witness statements of fact in respect of the ROC Issue (as defined in the Directions Order) to be served by 4 October 2024

**AND UPON** the parties to the Spottiswoode Proceedings and the London Array Proceedings having consented to the terms of this Order

**BY CONSENT IT IS ORDERED THAT:**

1. For the purposes of this order, the terms are as defined in the Directions Order.
2. Any witness statements of fact served for the purposes of the determination of the ROC Issue:
  - (a) in the London Array Proceedings shall stand as evidence and can be relied upon in the Spottiswoode Proceedings; and
  - (b) in the Spottiswoode Proceedings shall stand as evidence and can be relied upon in the London Array Proceedings.
3. Costs in the case.

**Andrew Lenon KC**  
Chair of the Competition Appeal Tribunal

Made: 8 November 2024  
Drawn: 8 November 2024