



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1636/5/7/24 (T)

BETWEEN:

- (1) SKIMBIT LTD
(2) CONNEXITY, INC.
(3) CONNEXITY EUROPE GMBH

Claimant

- v -

- (1) GOOGLE UK LIMITED
(2) GOOGLE IRELAND LIMITED
(3) GOOGLE LLC (FORMERLY GOOGLE INC.)
(4) ALPHABET INC.

Defendant

ORDER

UPON the confidentiality order dated 15 May 2024 (the “**Confidentiality Order**”) providing, inter alia, for confidential information to be designated as Confidential Information or Legal Eyes Only Confidential (“**LEO**”) Information (as those terms are defined in the Confidentiality Order)

AND UPON the parties having agreed to the terms of this Order

IT IS ORDERED BY CONSENT THAT:

1. By 4pm on 7 February 2025, the Claimants (together “**Connexity**”) shall, following a reasonable search, identify documents and/or data responsive to the categories in the Schedule to this Order for the period from 1 January 2008 to the date of this Order, and disclose and give inspection to the Defendants of those documents and/or data. Connexity shall provide a disclosure statement in respect of this disclosure by the same date.
2. Documents and/or data containing Confidential or LEO Information which are disclosed by Connexity pursuant to this Order shall be disclosed pursuant to the terms of the Confidentiality Order.
3. In giving disclosure and inspection, Connexity shall be permitted to withhold from inspection any documents (or parts of documents) over which they are entitled to assert privilege.
4. Costs in the case.
5. The parties have liberty to apply.

The Honourable Mr Justice Roth
Acting President of the Competition Appeal Tribunal

Made: 30 October 2024
Drawn: 30 October 2024

SCHEDULE

All relevant documents (including but not limited to documents prepared by Connexity in the context of the Second Claimant's acquisition by Taboola, Inc.) should be disclosed such as: board meeting minutes, investor meeting minutes, senior management documents, business plans, emails, financial accounts or forecasts.

No.	Category
1.	Connexity's forecasts for traffic to its CSS and growth of such traffic and analysis of the evolution of its traffic during the claim period.
2.	Connexity's forecasts for revenue and profit growth in respect of its CSS and analysis of revenue and profit growth.
3.	Connexity's forecasts for growth in its base of merchant relationships (including for the avoidance of doubt with 'online retailers' and 'direct retailers') and analysis of such growth.
4.	Connexity's actual or planned use and/or monetization of user data.
5.	Connexity's actual investments in and innovations for its CSS offering (including but not limited to its " <i>smart pricing</i> " platform), plans for investments in and innovations for the same, whether or not such plans were implemented, and the reasons why.
6.	Insofar as not covered above, documents relating to the CSS offering that identify (i) operational issues, (ii) user feedback and (iii) changes in the underlying technology supporting the CSS.
7.	Connexity's analysis and projections in respect of what its base of consumers would have been and in what periods.
8.	Insofar as not covered above, Connexity's valuation of relevant shareholdings, how these valuations changed overtime, and the basis for and source of such valuations.
9.	Connexity's actual and planned investment into and maintenance of the " <i>sophisticated technological platform</i> " required for the vertical search services it provided.

No.	Category
10.	Connexity's assessment and analysis of the CSS market, including but not limited to its position in that market relative to Google.