



IN THE COMPETITION
APPEAL TRIBUNAL

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

BETWEEN:

- (1) SKIMBIT LTD
(2) CONNEXITY EUROPE GMBH
(3) CONNEXITY, INC.
(together, “Connexity”)

Claimants

- v -

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

Defendants

CONSENT ORDER

UPON the Claimants’ Re-Amended Particulars of Claim dated 14 November 2024 (the “**RAPOC**”)

AND UPON the Defendants’ application dated 15 November 2024 that the words “*exemplary damages*” in paragraph 2.1, the whole of paragraphs 22.21 to 22.26, and the words “*and/or exemplary damages*,” in item 1 of the Prayer of the RAPOC (together “**Connexity’s Exemplary Damages Claim**”) be struck-out pursuant to Rule 41(1)(b) of the Competition Appeal Tribunal Rules 2015 (the “**CAT Rules 2015**”) and/or Connexity’s Exemplary Damages Claim be

summarily dismissed pursuant to Rules 43(1)(a)(i) and 43(1)(b) (“**Google’s Strike-Out Application**”)

AND HAVING REGARD TO paragraphs 4 and 5 of the Order of Mr Justice Roth dated 20 December 2024 listing Google's Strike-Out Application for 21 March 2025 (“**Strike-Out Hearing**”)

AND UPON the Claimants agreeing to withdraw Connexity’s Exemplary Damages Claim

BY CONSENT IT IS ORDERED THAT:

1. Connexity’s Exemplary Damages Claim is withdrawn.
2. Google’s Strike-Out Application is withdrawn.
3. The Strike-Out Hearing is vacated.
4. The Claimants shall amend the RAPOC to delete the words “exemplary damages” in paragraph 2.1, the whole of paragraphs 22.21 to 22.26, and the words “*and/or exemplary damages,*” in item 1 of the Prayer.
5. The Claimants shall file and serve Re-Re-Amended Particulars of Claim reflecting the amendments ordered at paragraph 4 above by 4pm on 5 February 2025.
6. Costs in the case.

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

Made: 22 January 2025
Drawn: 22 January 2025