



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

**Case No: 1673/7/7/24**

BETWEEN:

**PROFESSOR BARRY RODGER**

Proposed Class Representative

- v -

**(1) ALPHABET INC**

**(2) GOOGLE LLC**

**(3) GOOGLE IRELAND LIMITED**

**(4) GOOGLE ASIA PACIFIC PTE LIMITED**

**(5) GOOGLE COMMERCE LIMITED**

**(6) GOOGLE PAYMENT LIMITED**

**(7) GOOGLE UK LIMITED**

Proposed Defendants

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**ORDER**

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**UPON** the application of the Proposed Class Representative (“**Professor Rodger**” or the “**PCR**”) pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 (the “**Tribunal Rules**”) for a collective proceedings order (the “**CPO Application**”)

**AND UPON** Professor Rodger’s proposed class being defined in the terms set out in paragraphs 5 and 6 of the draft collective proceedings order filed with the CPO Application (individuals falling within that proposed class being, for the purpose of this Order, the “**Proposed Class Members**”)

**AND UPON** considering the governing principles pursuant to rule 4 of the Tribunal Rules and the Tribunal’s power under rule 53 of the Tribunal Rules

**IT IS ORDERED THAT:**

## **Forum**

1. Pursuant to Rules 18, 52 and 74 of the Tribunal Rules, the CPO Application is to be treated as being made in proceedings in England and Wales.

## **Publicity**

2. By **4pm** on **10 January 2025**, Professor Rodger shall publicise the CPO Application in accordance with the terms of the notice approved by the Tribunal. In doing so, Professor Rodger shall publicise:
  - a. in accordance with paragraph 8 of this Order, the right under Rule 76(10)(c) of the Tribunal Rules of persons with an interest to object to the CPO Application or the authorisation of the PCR; and
  - b. in accordance with paragraph 9 of this Order, the right under Rule 79(5) of the Tribunal Rules of any of the Proposed Class Members to make an application to the Tribunal for permission to make written and/or oral submissions at the hearing of the CPO Application.

## **Confidentiality ring**

3. The parties shall seek to agree the terms of the Confidentiality Ring to be established by separate order of, and in the form to be approved by, the Tribunal. Any disagreement between the parties shall be referred to the Tribunal by **5pm** on **6 January 2025** for determination on the papers.

## **Requests for further information and disclosure**

4. By **4pm** on **20 December 2024**, the Proposed Defendants shall, if so advised, send any requests for further information or disclosure relevant to the CPO Application to the PCR.
5. By **4pm** on **10 January 2025**, the PCR shall respond to the requests for further information or disclosure sent in accordance with paragraph 4 above.

## **Responses and replies**

6. By **4pm** on **31 January 2025**, the Proposed Defendants shall file and serve their response to the CPO Application, together with any expert or factual evidence, and any application made pursuant to rule 79(4) of the Tribunal Rules.
7. By **4pm** on **19 February 2025**, Professor Rodger shall file and serve any reply to the Proposed Defendants' response, together with any expert or factual evidence, and any response to any application made pursuant to rule 79(4) of the Tribunal Rules.

### **Objections to and observations on the CPO Application**

8. Any person with an interest (including any of the Proposed Class Members) may object to the CPO Application or the authorisation of the PCR by writing to the Tribunal, stating their reasons for objecting, by **4pm** on **14 February 2025**.
9. Any of the Proposed Class Members may apply to the Tribunal for permission to make written and/or oral submissions at the hearing of the CPO Application, stating their reasons for wishing to do so, by **4pm** on **14 February 2025**.

### **Hearing**

10. The hearing of the CPO Application be listed on **6 March 2025**, with a time estimate of one day with one day in reserve.

### **Skeleton argument and bundles**

11. By **4pm** on **24 February 2025**, Professor Rodger shall file an electronic version and six hard copies of the agreed bundle for the hearing of the CPO Application.
12. By **4pm** on **28 February 2025**, the parties shall file and serve skeleton arguments for the hearing of the CPO Application.
13. By **4pm** on **3 March 2025**, Professor Rodger shall file an electronic version of the agreed authorities bundle for the hearing of the CPO Application.

### **Disclosure**

14. By **4pm** on **10 January 2025**, the Proposed Defendants shall provide to Professor Rodger non-confidential versions of the pleadings filed in the *Coll* proceedings (case 1408/7/7/21) and *Epic* proceedings (case 1378/5/7/20) by the Defendants in those proceedings.

**General**

15. Costs in the CPO application.

16. There be liberty to apply.

**The Honourable Mr Justice Morris**  
Chair of the Competition Appeal Tribunal

Made: 19 December 2024  
Drawn: 14 January 2025