



IN THE HIGH COURT OF JUSTICE

**BUSINESS AND PROPERTY COURTS
OF ENGLAND AND WALES**

CP-2023-000011

Competition List (ChD)

MASTER CLARK

Friday 10 January 2025

BETWEEN

**(1) LENZING AG
(2) LENZING FIBERS GMBH
(3) LENZING FIBERS GRIMSBY LIMITED
(4) LENZING BIOCEL PASKOV A.S.**

Claimants

and

**(1) WESTLAKE VINNOLIT GMBH & CO. KG
(2) WESTLAKE VINNOLIT HOLDINGS GMBH
(3) WESTLAKE GERMANY GMBH & CO. KG
(4) WESTLAKE VINNOLIT LIMITED
(5) WESTLAKE INTERNATIONAL HOLDINGS COOPERATIEF U.A.
(6) WESTLAKE CORPORATION
(7) INOVYN CHLORVINYLS LIMITED
(8) INOVYN EUROPE LIMITED
(9) INEOS INOVYN LIMITED
(10) INOVYN DEUTSCHLAND GMBH
(11) INOVYN TRADE SERVICES S.A.
(12) INEOS AG
(13) INEOS LIMITED**

Defendants

CONSENT ORDER

UPON the Claim by Part 7 Claim Form dated 11 July 2023 (the “**claim**”)

AND UPON the additional Claims on 18 October 2024 by:

- (1) the First to Third, Fifth and Sixth Defendants (the “**Westlake Defendants**”) against the Seventh to Thirteenth Defendants (the “**II Defendants**”)
- (2) the II Defendants on the Westlake Defendants (together, the “**contribution claims**”)

AND UPON the Claim and contribution Claims:

- (1) being Claims to which section 47A of the Competition Act 1998 applies; and/or
- (2) concerning infringement issues (as defined in section 16(6) of the Enterprise Act 2002)

AND UPON the Order of Deputy Master Bowles dated 20 November 2024

BY CONSENT IT IS ORDERED THAT:

1. The Claim and contribution Claims are transferred to the Competition Appeal Tribunal (the “**CAT**”) for its determination of issues arising pursuant to section 16(1) and 16(4) of the Enterprise Act 2002 and regulation 2(a) of the Section 16 Enterprise Act 2002 Regulations 2015 SI 2015/1643.
2. Neither this Order giving effect to the said transfer, nor the transfer itself, shall alter, limit or exclude in any respect any element of the Claim, or the contribution Claims, in this Court prior to the transfer taking effect. If, and to the extent that, any element of such Claims (as constituted in this Court prior to the transfer taking effect) is not capable of falling within the jurisdiction of the CAT on a transfer, or it would be altered, limited or excluded by this order or the transfer, it is not subject to this order and remains within the jurisdiction of this Court. However, any such elements of the Claim are stayed until further Order.
3. The Claim and contribution Claims were and shall continue to be regarded as having been commenced in this Court. Except to the extent that the CAT otherwise directs, any further statements of case or amendments to a statement of case shall be made in accordance with the Civil Procedure Rules and the Chancery Guide, and not with the Competition Appeal Tribunal Rules 2015 (or any other rules or practice direction applicable in the CAT).
4. Any appeal to the Court of Appeal against the determination by the CAT of the issues transferred or an Order of the Court giving effect to that determination shall be treated for all purposes as an appeal from a judgment of this Court and, accordingly, shall be governed by the rules in CPR Part 52.

5. This Court may give such further directions or make such further Order as it thinks fit in connection with the transfer and/or with any such element as referred to above.
6. The Costs of this Order are in the Case.
7. The Claimants shall serve this Order on the Defendants.

Service of the Order

The Court has provided a sealed copy of this Order to the **servicing party**:

Claimants' Solicitors:

Stewarts Law LLP

5 New Street Square

London

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Ref: ILF/108422.1

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