



IN THE COMPETITION
APPEAL TRIBUNAL

Case No.: 1278/5/7/17

B E T W E E N:

- (1) BRITISH TELECOMMUNICATIONS PLC**
(2) EE LIMITED
(3) PLUSNET PLC
(4) DABS.COM LIMITED

Claimants

-v-

- (1) MASTERCARD INCORPORATED**
(2) MASTERCARD INTERNATIONAL INCORPORATED
(3) MASTERCARD EUROPE SA

Defendants

ORDER

UPON the parties agreeing to the terms of this Order

IT IS ORDERED BY CONSENT THAT:

1. These proceedings shall be stayed until 28 days after:
 - (a) the Competition Appeal Tribunal has handed down its judgment on the remitted aspects of the Court of Appeal cases in: (i) *Sainsbury's Supermarkets Ltd v MasterCard Incorporated and Ors Nos* (Case reference C3/2016/4250), (ii) *Argos Limited & Ors v MasterCard Incorporated & Ors* (Case references A3/2017/0889, A3/2017/0888, A3/2017/0890, A4/2017/0892) and (iii) *Sainsbury's Supermarkets Ltd v Visa Europe Services LLC & Ors* (Case reference A3/2017/3493); and

- (b) in the event that any appeal is made to the Supreme Court in respect of any of the cases mentioned in paragraph 1 (a) above, the Supreme Court has handed down its judgment in relation to such appeal.
2. Either party may make an application to the Tribunal to terminate this stay by giving 30 days' written notice to the other party (such notice to be served by email from the relevant party's solicitors to the other party's solicitors, taking effect on the day that it is sent).
 3. Upon expiry or termination of this stay in accordance with paragraph 1 or paragraph 2 above, the Defendants shall have 14 days within which to file and serve any application to contest jurisdiction.
 4. There shall be no order as to costs.

Andrew Lenon Q.C.
Chairman of the Competition Appeal Tribunal

Made: 1 August 2018
Drawn: 1 August 2018