



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1381/7/7/21

BETWEEN:

JUSTIN LE PATOUREL

Class Representative

- v -

(1) BT GROUP PLC
(2) BRITISH TELECOMMUNICATIONS PLC

Defendants

ORDER

UPON the Directions Order of Mr Justice Waksman dated 13 May 2022 (the “**Directions Order**”)

AND UPON the Directions Order of Mr Justice Waksman dated 15 February 2023 (the “**Further Directions Order**”)

AND UPON the application of the Class Representative dated 20 April 2023 to file a draft Amended Reply (the “**Amendment Application**”)

AND UPON the application of the Class Representative dated 20 April 2023 to adduce further expert evidence in the field of behavioural economics (the “**Behavioural Evidence Application**”)

AND UPON the Tribunal listing a hearing on 3 July 2023 for the Amendment Application and the Behavioural Evidence Application (the “**3 July Hearing**”).

IT IS ORDERED THAT:

1. Paragraph 9 of the Further Directions Order is varied such that:

- (a) the Class Representative provide the Tribunal and BT with a draft expert report in the field of behavioural economics by **4pm on 23 June 2023** (to include draft evidence subject to the Tribunal's determination of the Behavioural Evidence Application at the 3 July Hearing); and
 - (b) The Class Representative shall file and serve any final expert report in the field of behavioural economics, following the Tribunal's determination of the Behavioural Evidence Application at the 3 July Hearing, by **4pm on 10 July 2023**
2. Paragraph 10 of the Further Directions Order is varied such that the Defendants shall file and serve any signed expert report in the field of behavioural economics by **4pm on 28 August 2023**.
3. Paragraph 11(b) of the Further Directions Order is varied such that the Class Representative shall file and serve any signed reply expert report in the field of behavioural economics by **4pm on 6 October 2023**.
4. Paragraph 11(c) of the Further Directions Order is varied such that the Class Representative's and the Defendants' experts in the field of behavioural economics shall meet to discuss their respective reports by no later than **20 October 2023** and shall produce a joint statement of matters agreed and not agreed that shall be filed and served by **4pm on 15 November 2023**.
5. The directions set out at paragraphs 1 (b), 2, 3 and 4 above are subject to any further or different order made at the conclusion of the 3 July Hearing.
6. Costs in the case.

Mr Justice Waksman
Chair of the Competition Appeal Tribunal

Made: 5 June 2023
Drawn: 5 June 2023