



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

**Case No: 1403/7/7/21**

BETWEEN:

**DR. RACHAEL KENT**

Class Representative

- v -

**(1) APPLE INC.**

**(2) APPLE DISTRIBUTION INTERNATIONAL LTD**

Defendants

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**ORDER**

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**UPON** the Class Representative's application dated 15 March 2023 for disclosure of certain documents provided by the Defendants to the Competition and Markets Authority (the "**CMA Documents Application**")

**AND UPON** hearing Leading Counsel for the Class Representative and the Defendants at the case management conference on 20 and 21 March 2023 ("**Fourth CMC**")

**AND UPON** the Tribunal handing down its ruling at the Fourth CMC that the Class Representative shall pay the Defendants' costs arising from the CMA Documents Application

**AND UPON** paragraph 10 of the Order of the Chair of the Tribunal drawn on 6 April 2023 ordering that the Class Representative shall pay the Defendants' costs of and arising from the CMA Documents Application within 28 days of the date on which the amount of costs is agreed or assessed

**AND UPON** the Class Representative and the Defendants having agreed to the making of this Order

**BY CONSENT IT IS ORDERED THAT:**

1. The Class Representative shall pay the Defendants' costs of and arising from the CMA Documents Application, in the sum of £25,000 (inclusive of VAT), by 23 June 2023.
2. The costs otherwise incurred by the Defendants in relation to the Fourth CMC shall be costs in the case.



**Ben Tidswell**

Chair of the Competition Appeal Tribunal

Made: 31 May 2023

Drawn: 31 May 2023