



REGISTERED AT THE COMPETITION APPEAL
TRIBUNAL
UNDER NUMBER: 20824
DATE: 04/03/25

**IN THE COMPETITION
APPEAL TRIBUNAL**

Case No: 1378/5/7/20
1408/7/7/21

BETWEEN:

- (1) EPIC GAMES, INC.
(2) EPIC GAMES ENTERTAINMENT INTERNATIONAL GMBH
Claimants (together, “Epic”)

- v -

- (1) ALPHABET INC.
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LTD
(5) GOOGLE PAYMENT LIMITED

Defendants
(the “Epic Proceedings”)

AND BETWEEN:

- (1) ELIZABETH HELEN COLL

Class Representative

- v -

- (1) ALPHABET INC.
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE COMMERCE LTD
(5) GOOGLE PAYMENT LIMITED

Defendants
(the “Coll Proceedings”)

CONSENT ORDER

UPON reading Epic's application of 4 December 2024 and supporting evidence seeking permission to amend the Re-re-re-Amended Claim Form (the **4ACF**) in the Epic Proceedings and the draft Re-re-re-re-Amended Claim Form (in the form provided to Google on 7 February 2025) (the **5ACF**)

BY CONSENT

IT IS ORDERED THAT:

1. Epic has permission to amend its 4ACF in the Epic Proceedings in the form of the draft 5ACF supplied to Google on 7 February 2025, which must be filed and served by 5pm on the date which falls two business days after the date on which this Order is made.
2. The Defendants have permission to amend their Re-Amended Defence in the Epic Proceedings in response to the amendments introduced by the 5ACF, which must be filed and served by 5pm on the date which falls 20 business days after the date on which the 5ACF is served (the **Re-re-Amended Defence**).
3. Epic has permission to amend its Re-Amended Reply in the Epic Proceedings in response to the amendments introduced by the 5ACF and Re-re-Amended Defence, which must be filed and served by 5pm on the date which falls 10 business days after the date on which the Re-re-Amended Defence is served.
4. Epic shall pay the Defendants' costs of and occasioned by the amendments, to be assessed if not agreed.

Directions arising from Epic's amendments in the 5ACF

5. Google may seek further disclosure from Epic in relation to the amendments introduced by the 5ACF. Any disagreement concerning the scope of such further disclosure to be provided by Epic shall be referred to the Tribunal as soon as practicable and in any event by such date as will enable any disclosure dispute to be determined, and such disclosure

as may be ordered provided, so that the date on which Google is required to serve any further factual witness evidence in accordance with paragraph 6 below may be met.

6. Google shall be entitled to serve further factual witness evidence in the Epic proceedings, if so advised, in relation to the amendments introduced by the 5ACF, with such further evidence to be served by 5pm on the date which falls 20 business days after the date on which the Re-Amended Reply is served.

Liberty to apply

7. The parties shall have liberty to apply in respect of this order.



Bridget Lucas KC

Chair of the Competition Appeal Tribunal

Made: 4 March 2025

Drawn: 4 March 2025