



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1408/7/7/21

BETWEEN:

ELIZABETH HELEN COLL

Class Representative

- v -

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

Defendants
together **Google**

and

THE COMPETITION AND MARKETS AUTHORITY

Intervener

(the Coll Proceedings)

AND BETWEEN:

- (1) EPIC GAMES, INC.**
- (2) EPIC GAMES ENTERTAINMENT INTERNATIONAL GMBH**

Claimants
together **Epic**

and

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

Defendants

and

THE COMPETITION AND MARKETS AUTHORITY

Intervener

(the Epic Proceedings)

ORDER

UPON reading the Defendants' letter dated 26 February 2025.

AND HAVING REGARD TO the Tribunal's powers under the Competition Appeal Tribunal Rules 2015

IT IS ORDERED THAT:

1. The Tribunal's Order dated 27 September 2024 is varied as follows:
 - (a) Paragraph 1.2: "By **5pm on 7 March 2025**, the Defendants shall serve their signed expert report(s)."
 - (b) Paragraph 1.3: "By **5pm on 9 May 2025**, the Class Representative, if so advised, shall serve her signed reply expert report(s)."
 - (c) Paragraph 1.4: "By **20 June 2025**, the parties' experts in each respective field shall meet on a without prejudice basis to discuss their respective report(s), and produce a joint statement on matters agreed and not agreed."
2. The Tribunal's Order made on 7 October 2024 and drawn on 23 October 2024 is varied as follows:
 - (a) Paragraph 8: "Epic shall provide the following by **5pm on 7 March 2025**, at the same time as the Defendants file their expert reports and any further factual evidence (if so advised) in the Coll Proceedings, pursuant to paragraph 2.2 of the Tribunal's Order dated 22 May 2024 in the Epic Proceedings and the Coll Proceedings (as amended):

(a) a witness statement addressing the outcome of the Claimants' strategy to launch the Epic Games Store on Android at that time; and

(b) data showing the number of users of the Epic Games Store on Android in the period between launch on 16 August 2024 and 31 December 2024.”

(b) Paragraph 10: “The Defendants shall have permission to adduce further witness evidence, if so advised, in respect of the amendments introduced by the Re-re-Amended Claim Form by **5pm on 7 March 2025** at the same time as the Defendants file their expert reports and any further factual evidence (if so advised) in the Coll Proceedings, pursuant to paragraph 2.2 of the Tribunal's Order dated 22 May 2024 in the Epic Proceedings and the Coll Proceedings (as amended).”

(c) Paragraph 20: “The parties to the Coll Proceedings and the Epic Proceedings shall file and serve hearsay notices where required by CPR r.33.2 by **5pm on 28 March 2025**, and the deadlines for filing and serving hearsay notices where required by CPR r.33.2 as set out at paragraph 8 of the Tribunal's Order of 16 December 2021 in the Coll Proceedings (as amended), and paragraph 10 of the Tribunal's Order made on 6 December 2021 and 8 drawn on December 2021 in the Epic Proceedings (as amended) are hereby amended accordingly.”

3. The Tribunal's Order dated 22 May 2024 is varied as follows:

(a) Paragraph 2.5: “The CMA shall file and serve its written observations pursuant to Rule 50(2) of the Tribunal Rules by **4pm on 4 July 2025**.”

(b) Paragraph 2.6: “If so advised, the parties shall file and serve their respective written observations on the CMA's written observations by **4pm on 18 July 2025**.”

(c) Paragraph 2.7: “If so advised, the CMA shall file and serve written observations in reply by **4pm on 30 July 2025**.”

4. Costs in the case.

5. There be liberty to apply.

Bridget Lucas KC

Bridget Lucas
Chair of the Competition Appeal Tribunal

Made: 4 March 2025
Drawn: 4 March 2025