



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

Case No: 1382/7/7/21

BETWEEN:

**CONSUMERS' ASSOCIATION**

Class Representative

- v -

**QUALCOMM INCORPORATED**

Defendant

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**ORDER**

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**UPON** the Order of the Chair made on 21 June 2023 (the “**Revised Confidentiality Ring Order**”)

**AND UPON** reading a letter from Hausfeld & Co. LLP dated 5 March 2024 on behalf of the Class Representative applying for the addition of Professor Carl Shapiro as an Inner and Outer Confidentiality Ring Member pursuant to paragraph 6.5 of the Revised Confidentiality Ring Order

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

**IT IS ORDERED THAT:**

1. Professor Carl Shapiro is designated as an additional Inner and Outer Confidentiality Ring Member for the Class Representative following provision of his signed Annex C undertaking to the Defendant and the Tribunal.

2. There be liberty to apply.

**REASONS:**

1. At the fourth case management conference of these proceedings, the Tribunal heard the parties' applications to adduce expert evidence from industry and technical experts in Trial 1. By an Order dated 29 February 2024 ("the Order"), the Tribunal ruled that each party would be allowed to rely on the evidence of one competition economist.
2. The purpose of the Order was to ensure that the evidence in Trial 1 was kept within manageable, and therefore helpful bounds. It did not constitute a wider restriction upon the parties' ability to instruct advisors in the Proceedings.
3. It is routine for testifying experts to be supported by other practitioners and it is a matter for the Class Representative whom it chooses to instruct in that capacity. It is not open to the Defendant to seek to interfere with that.
4. I will therefore order the inclusion of Professor Carl Shapiro as an Inner and Outer Confidentiality Ring Member, pursuant to paragraph 6.5 of the Revised Confidentiality Ring Order dated 22 June 2023.

**The Hon Mrs Justice Bacon**  
Chair of the Competition Appeal Tribunal

Made: 8 March 2024  
Drawn: 8 March 2024