



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1382/7/7/21

BETWEEN:

CONSUMERS' ASSOCIATION

Applicant/Proposed Class Representative

- v -

QUALCOMM INCORPORATED

Respondent/Proposed Defendant

ORDER

UPON reading the application by the Proposed Class Representative for a Collective Proceedings Order pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 (“the Tribunal Rules”) filed on 18 February 2021

AND UPON reading the application by the Proposed Defendant pursuant to Rule 34 of the Tribunal Rules to dispute the Tribunal’s jurisdiction filed on 25 May 2021 (the “Jurisdiction Challenge Application”)

AND UPON reading the letter dated 21 October 2021 from the solicitors for the Proposed Defendant informing the Tribunal that the Proposed Defendant is withdrawing the Jurisdiction Challenge Application

AND UPON the Tribunal’s letter to the parties dated 28 October 2021 vacating the hearing for the Jurisdiction Challenge Application and listing the first case management conference in these proceedings for 9 November 2021

IT IS ORDERED BY CONSENT THAT:

1. The Jurisdiction Challenge Application be withdrawn.

2. The reasonable costs incurred by the Proposed Class Representative in responding to the Proposed Defendant's Jurisdiction Challenge Application shall be paid by the Proposed Defendant with such costs to be agreed or determined by way of summary assessment at the case management conference on 9 November 2021 if not so agreed.
3. Any such costs agreed to be paid by the Proposed Defendant, or ordered to be paid by the Proposed Defendant, shall be payable within 28 days of the date of this Order.
4. There be liberty to apply.

The Hon Mrs Justice Bacon
Chairwoman of the Competition Appeal Tribunal

Made: 3 November 2021
Drawn: 3 November 2021