IN THE COMPETITION APPEAL TRIBUNAL

Case Nos: 1582/7/7/23
1572/7/7/22

BETWEEN:

AD TECH COLLECTIVE ACTION LLP

Class Representative

- v -

(1) ALPHABET INC.
(2) GOOGLE LLC
(3) GOOGLE IRELAND LIMITED
(4) GOOGLE UK LIMITED

Defendants

(the "Proceedings")

ORDER

UPON the Order of the Tribunal dated 14 January 2025 (the "**CPO**")

AND UPON the CMA's letter dated 18 June 2024 expressing its intention to make observations pursuant to rule 50(2) of the Tribunal's Rules

AND UPON hearing counsel for the Class Representative and the Defendants at a case management conference on 23 July 2025

IT IS ORDERED THAT:

TRIAL LISTING

1. The Trial shall be listed from the first available date on or after 25 September 2028 with a provisional time estimate of up to 12 weeks.

LIST OF ISSUES

2. By 4pm on 12 September 2025, the Defendants shall provide their revised draft list of issues to the Class Representative.

3. By 4pm on 3 October 2025 the Class Representative shall provide comments on the Defendants' revised draft list of issues.

4. By 4pm on 24 October 2025 the parties shall provide the agreed draft list of issues to the Tribunal, alternatively if the list is not agreed, the parties shall provide a markup of the list of issues identifying the areas of disagreement. The Tribunal shall determine any disagreement on the papers where suitable or at the next case management conference ("**CMC 2**").

DISCLOSURE

Disclosure of specific pre-existing datasets

5. By 4pm on 26 September 2025, the Defendants shall disclose and provide inspection, to be given in an electronic format and on an electronic medium to be agreed by the parties, to the Class Representative of the following:

   (a) the dataset provided by Google to the Competition and Markets Authority (the "**CMA**") in connection with the CMA's market study into online platforms and digital advertising (the "**CMA Digital Advertising Market Study**");

   (b) the 19 Data Transfer Files provided by Google to the French Competition Authority (the "**FCA**") in connection with the FCA's investigation (Cases 19/0030 F, 19/0056 F and 19/0057 F) (the "**FCA Investigation**");

   (c) the dataset comprising detailed bid-level auction data for the month of June 2023 for DFP, Google Ads and DV360 provided by Google to the US Department of Justice (the "**DOJ**"); and

(d) the explanatory information provided to the CMA, the FCA and the DOJ respectively about how those datasets were produced and what they contain.

Disclosure from the Pre-existing Disclosure

6. By 4pm on 24 October 2025, the Defendants shall provide an explanation to the Class Representative of the documents and datasets provided in connection with the following proceedings:

(a) the CMA Digital Advertising Market Study;

(b) the CMA's investigation (Case 51145) (the "**CMA Investigation**");

(c) the European Commission's investigation (Case AT.40670) (the "**EC Investigation**");

(d) the FCA Investigation; and

(e) the DOJ's investigation concerning Google's ad tech business commenced in July 2019 (the "**DOJ Investigation**") and the subsequent *United States et al v Google LLC*, Case No. 1:23-cv-00108 proceedings (the "**DOJ Litigation"**) (together, the "**DOJ Proceedings**"),

(together, the **"Pre-existing Disclosure"**). Such explanation shall include how the relevant documents and datasets were compiled and in general what they contain.

7. By 4pm on 24 October 2025, the Defendants shall provide their proposals for disclosure of datasets and documents from the Pre-existing Disclosure in addition to those set out at paragraph 5, above, to the Class Representative.

8. The parties shall then correspond to ask and answer reasonable questions about the Pre-existing Disclosure and the explanations and disclosure proposals provided. Any areas of dispute shall be referred to the Tribunal for determination at CMC 2.

9. By 21 November 2025, the parties will agree what additional materials from the Pre-existing Disclosure should be produced to the Class Representative. Any areas of dispute (including in relation to the explanations and proposals provided by the Defendants) shall be referred to the Tribunal for determination at CMC 2.

10. Any datasets and documents agreed to be disclosed pursuant to paragraphs 8-9 shall be disclosed and produced by the Defendants as soon as reasonably practicable and on a rolling basis, and in any event by no later than 31 January 2026.

11. By no later than 31 January 2026, the Defendants shall complete disclosure and inspection of any further disclosure from the Pre-existing Disclosure that they are directed to give following CMC 2.

Further Disclosure

12. By 5 December 2025 the parties shall seek to agree which issues from the list of issues have not been addressed from the Pre-existing Disclosure. Any areas of dispute shall be referred to the Tribunal for determination at CMC 2.

Costs Information

13. The Defendants shall:

    (a) provide an update on the Defendants' total incurred costs to date (including any costs of the *Pollack* and *Arthur* proceedings) prior to CMC 2; and

    (b) notify the Class Representative by letter if and when the Defendants' incurred costs (including any costs of the *Pollack* and *Arthur* proceedings) reach £12 million (exclusive of VAT).

CMC 2

14. CMC 2 shall be listed in the week commencing Monday 15 December 2025, with a time estimate of 1 day with a day in reserve. The Tribunal shall give such directions as it considers fit at CMC 2 in respect of:

(a) any disputes as to disclosure under paragraphs 5-12 above;

(b) any further disclosure to be given by the Defendants, including if appropriate the filing of a Disclosure Report and an Electronic Documents Questionnaire;

(c) any outstanding disputes in respect of the list of issues for determination at trial;

(d) further directions to trial;

(e) the Class Representative's application for the provision of costs information by the Defendants; and

(f) the Class Representative's application for an order for mediation.

CMC 3

15. CMC 3 shall be listed for the first available date on or after 5 May 2026, with a time estimate of 1 day with a day in reserve. The Tribunal shall give such directions as it considers fit at CMC 3 in respect of:

(a) any outstanding issues relating to disclosure;

(b) the factual and expert evidence that will be permitted to be adduced at Trial; and

(c) the Trial bundle and written submissions for Trial.

GENERAL

16. Costs in the case.

17. Liberty to apply.

Mr Justice Leech Made: 15 August 2025

Chair of the Competition Appeal Tribunal Drawn: 15 August 2025