

**IN THE COMPETITION TRIBUNAL**

**THE REPUBLIC OF SOUTH AFRICA**

**CASE NO: 016824**

In the matter between:

**The Competition Commission of South Africa**

**Applicant**

And

**Media 24 (Pty) Limited**

**Respondent**

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Panel : Norman Manoim (Presiding Member)  
Yasmin Carrim (Tribunal Member)  
Mondo Mazwai (Tribunal Member)  
Heard on : 27 June 2013  
Order issued : 27 June 2013

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**ORDER: APPLICATION TO STRIKE OUT ALLEGATIONS AND COMPEL  
FURTHER PARTICULARS**

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After having heard the parties in this application, the Competition Tribunal ("Tribunal") orders the following:

1. The allegations in paragraphs 12 to 23 of the supplementary founding affidavit filed by the Competition Commission ("Commission") on 25 February 2013 are struck out; and
2. The Commission is directed to furnish a Supplementary Affidavit elaborating on the issues contemplated in paragraphs 3 to 10 of the Response to the

Respondent's Request for Further Particulars (dated 25 June 2013) and as tendered during the hearing (27 June 2013), by 12 July 2103;

3. Media24 is given leave to file an Answering Affidavit to the Commission's Supplementary Affidavit referred to in paragraph 2 above, by 26 July 2013;
4. The Commission is given leave to file a Replying Affidavit to Media24's Answering Affidavit referred to in paragraph 3 above, by 02 August 2013.
5. Save as provided above, the timetable annexed hereto as "Annexure A" remains unchanged.



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**Norman Manoim**  
**Presiding Member**

**Concurring:** Yasmin Carrim and Mondo Mazwai

## Annexure A

| Item | Description  | Date                                   |
|------|--|--|
| 1    | Media24 to inform the Tribunal of the date by when the former can comply with the Tribunal's order, if such order does not stipulate a date.   | 14 December 2012                       |
| 2    | The Commission will file an application to amend the referral or add further particulars thereto (if any) [ <b>"Amendment Application"</b> ].  | 21 January 2013                        |
| 3    | Media24 is to finalise its response to the uncontested part of its reply to the Commission's request for documents.  | 31 January 2013                        |
| 4    | Media24 will file its answer (if any) to the Amendment Application   | 04 February 2013                       |
| 5    | The Commission will file its reply (if any) to the Amendment Application.  | 11 February 2013                       |
| 6    | <b>Hearing of the Amendment Application.</b>   | 18 February 2013                       |
| 7    | <b>Pre-hearing</b> (if necessary) as soon as the Tribunal has ruled on the amendment application, in order to agree the dates for filing of supplementary affidavits by the parties (if the Commission's application is successful) and additional discovery (if necessary). | To be confirmed                        |
| 8    | The Commission will file a supplementary affidavit, as directed by the Tribunal on 27 June 2013.   | 12 July 2013                           |
| 9    | The Commission will file its factual witness statements (both confidential and non-confidential versions).   | 19 July 2013                           |
| 10   | Media 24 is granted leave to file an Answering Affidavit.  | 26 July 2013                           |
| 11   | The Commission is granted leave to file a Replying Affidavit   | 02 August 2013                         |
| 12   | Media 24 will file its factual witness statements (both confidential and non-confidential versions).   | 02 August 2013                         |
| 13   | The Commission will file any supplementary factual witness statements (both confidential and non-confidential), if any.  | 16 August 2013                         |
| 14   | The Commission will file its expert witness statements (both confidential and non-confidential).   | 06 September 2013                      |
| 15   | Media24 will file its expert witness statements (both confidential and non-confidential).  | 27 September 2013                      |
| 16   | The Commission will file any supplementary expert witness statements (both confidential and non-confidential), if any.   | 11 October 2013                        |
| 17   | <b>Pre-hearing</b><br>Parties are to submit proposals on the allocation of time allowed to each party in the hearing, relating to oral evidence. Any other miscellaneous matters will also be dealt with.  | 14 October 2013                        |
| 18   | Media24 will prepare a trial bundle.   | 16 October 2013                        |
| 19   | The Commission will supplement the bundle.   | 23 October 2013                        |
|      | Circulation of final trial bundle.   | 28 October 2013                        |
|      | <b>Hearing of evidence</b>   | 04 November 2013 –<br>22 November 2013 |
|      | <b>Closing argument</b>  | 29 November 2013                       |