

Annexure A

Case Number: CR212Feb17

05 September 2017

EXCEPTION APPLICATIONS		
Respondent no.	Name	Case Number
1	Bank of America Merrill Lynch International Limited	CR212Feb17/EXC036May17
2	BNP Paribas	CR212Feb17/EXC040May17
3+4	JP Morgan Chase & Co JP Morgan Chase Bank N.A	CR212Feb17/EXC032May17
5	Australia and New Zealand Banking Group Limited	CR212Feb17/EXC029May17
6	Standard New York Securities Inc	CR212Feb17/EXC034May17
7	Investec Limited	CR212Feb17/EXC035May17
8	Standard Bank of South Africa Limited	CR212Feb17/EXC042May17
9	Nomura International Plc	CR212Feb17/EXC033May17
10	Standard Chartered Bank	
11	Credit Suisse Group	CR212Feb17/EXC030May17
12	Commerzbank AG	CR212Feb17/EXC031May17
13	Macquarie Bank Limited	CR212Feb17/EXC037May17
14	HSBC Bank Plc	CR212Feb17/EXC028Apr17

Application for access to the record		
Respondent No.	Name	Case Number
8	Standard Bank of South Africa Limited	CR212Feb17/DSC027Apr17



Dear All

RE: THE COMPETITION COMMISSION V BANK OF AMERICA MERRILL LYNCH INTERNATIONAL LTD & 17 OTHERS

Time-allocation for hearing

1. The hearing is scheduled for **24 to 26 January 2018** and will give the parties a total of 13.5 hours of hearing time.
2. In order to utilize this time efficiently we will divide the hearing into the following themes:
 - 2.1. *“Jurisdiction”* i.e. the arguments around the application of section 3(1) of the Act. The jurisdiction theme will be afforded a total of 6.75 hours of hearing time;
 - 2.2. *“The failure to plead material facts”* which others, making similar points, have characterised as the *“failure to sustain a cause of action”*. These are arguments around the adequacy of the complaint referral in respect of the requirements of section 4(1) of the Act, read in conjunction with Tribunal rule 15. This theme will be afforded a total of 6.75 hours of hearing time.
3. Time per theme will be distributed equally between the excipients and the Commission i.e. 3.37 hours per side for both 2.1 and 2.2 above. The excipients must, at their discretion, divide their allocated time between argument and reply.
4. The excipients who have raised a particular theme should appoint a lead counsel for each of the above-mentioned themes and notify the Tribunal thereof **by no later than 15 December 2017**, failing which we will appoint a counsel at our discretion.

Filing of heads of argument

5. The excipients should file their heads of argument **by no later than 16h00 on 24 November 2017**.



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6. The Commission should file their heads of argument by **no later than 16h00 on 08 December 2017.**

Filing of paginated bundles

7. 4 copies of an indexed and paginated bundle must be provided by **no later than 17 November 2017.**

Yours faithfully,

Aneesa Ravat
Case Manager
(Not signed due to electronic transmission)