

### Truck manufacturers' cartel decision

In July 2016, five of the biggest truck manufacturers were fined €2.93bn by the European Commission for engaging in a price fixing cartel. These manufacturers were MAN, Volvo/Renault, Daimler, Iveco and DAF. In September 2017, Scania was also found to have been part of the cartel.

The price-fixing took place over a 14-year period (between 1997 and 2011) and relates to medium (6 to 16 tons) and heavy (over 16 tons) trucks.

### You may be entitled to compensation

Anyone who bought or leased medium and heavy trucks during this period is entitled to bring a claim for losses suffered. These losses are likely to be in the region of 10-25% of the truck purchase price.

This means that many businesses will have substantial claims for damages. Those claims are made even larger by claims for interest (which businesses are allowed to claim on top of damages due). For many businesses, damages claims may run into millions of pounds.

Because of the decision of the European Commission, the truck manufacturers cannot deny they operated an illegal cartel, so, in considering claims, courts will mainly focus on the amount of damages to be awarded to each eligible claimant.

Claims can be brought in the English courts, regardless of where your business is based in the UK or EU.

### How to recover your loss

If you think your business may be eligible to make a claim, the first step is to appoint legal advisers to help you assess the best option open to you.

For many businesses, bringing an individual claim is often the most cost-effective solution – giving you greater control and resulting in a higher level of damages.

- You remain in **control** of your claim
- Each claim is tailored to **your specific business needs**
- Unlike a group claim action, as an independent claimant, you have **flexibility** on when to bring your claim and when to settle
- Your business can choose to **fund** the claim in whichever way suits *you* best.

### Make your claim

asb law LLP is the only firm recommended by the Freight Transport Association (FTA) to represent its members in making a claim.

We are already acting for FTA members and are committed to making sure that claims, whether large or small, are pursued as efficiently and cost-effectively as possible.

Each case is assessed with you at the outset to find out what the best course is for your business.

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## Why use asb law?

Advantages of using asb law to pursue your claim include:

- **Economies of scale:** because asb law is acting for organisations already we have streamlined our service and manage cases economically and swiftly. Our bespoke offering means we can act much more quickly and nimbly than a class action.
- **Information-sharing:** you benefit from being part of a large, co-ordinated group, sharing information for the mutual benefit of all
- **Maximising damages recovery:** being part of such a group of claimants we have stronger leverage. It places members in a better negotiating position
- You access a **leading and innovative team of lawyers**, specialists, experts and Counsel dedicated to managing these cases
- **Preferential funding:** we can give you access to market-leading litigation funding. This means that a funder is willing to pay all of your litigation costs and deduct their fee from your damages (*see below*).

## What will it cost?

There are a number of different ways to fund your claim. asb law will work with each client to work out what is best for your business.

We'll discuss all funding options available and help you to identify the most suitable funding model for you and your business.

Possible funding options include:

- Preferential **litigation funding** terms (a form of no-win-no-fee – where a third party funder pays your legal fees and gets paid out of your damages)
- Various types of **no-win-low-fee agreement**, tailored to your business needs
- Conventional **hourly fee** arrangements and **fixed fees**.

## The road to recovery

We can help you to assess the strength of your case and advise on the most suitable route to recovering your losses. Get in touch.

**Email us:** [truckclaims@asb-law.com](mailto:truckclaims@asb-law.com)

## Key contacts



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