



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1381/7/7/21

BETWEEN:

JUSTIN LE PATOUREL

Applicant/Class Representative

- v -

(1) BT GROUP PLC
(2) BRITISH TELECOMMUNICATIONS PLC

Respondents/Defendants

CONSENT ORDER

UPON the Application dated 15 January 2021 for a collective proceedings order (the “CPO Application”) pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 (S.I 2015 No. 1648) (the “Tribunal Rules”)

AND UPON reading the material submitted by the parties

AND UPON the Class Representative’s application dated 28 May 2021 to re-amend the CPO Application Claim form to add “or their UK-domiciled personal representatives” in the definition of the proposed class and to clarify the relevant parts of the United Kingdom (the “Amendment Application”)

AND UPON hearing Leading Counsel for the Applicant and Leading Counsel for the Respondents at a hearing on 24 and 25 June 2021

BY CONSENT IT IS ORDERED THAT:

1. The Class Representative has permission to re-amend his Claim Form in the form attached to the Amendment Application to add “or their UK-domiciled personal representatives” in the definition of the Proposed Class, save insofar as it is subsequently established by the Respondents that: (i) a 5 year limitation period applies in respect of any claims made by Proposed Class Members who are resident in Scotland and (ii) consequently, claims made against the Respondents on behalf of Proposed Class Members resident in Scotland in respect of a period prior to 4 March 2016 are time barred, then the Proposed Class Representative does not have permission to amend the definition of the Proposed Class in respect of the time-barred part of any such claims.
2. Costs be reserved.
3. There be liberty to apply.

The Hon Mr Justice Waksman
Chairman of the Competition Appeal Tribunal

Made: 22 October 2021
Drawn: 22 October 2021