



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1425/7/7/21

BETWEEN:

**JUSTIN GUTMANN**

Proposed Class Representative

- and -

**(1) GOVIA THAMESLINK RAILWAY LIMITED**

**(2) GOVIA LIMITED**

**(3) THE GO-AHEAD GROUP PLC**

**(4) KEOLIS (UK) LIMITED**

Proposed Defendants

---

**CONSENT ORDER**

---

**UPON** the Parties having agreed the terms of this Order

**AND UPON** the Proposed Class Representative having filed an application for a collective proceedings order against the Proposed Defendants on 24 November 2021

**AND UPON** the Parties having agreed to stay these proceedings pending the Tribunal's judgment in the applications for collective proceedings orders in Case 1304/7/7/19 *Justin Gutmann v First MTR and Another* and Case 1305/7/7/19 *Justin Gutmann v London & South Eastern Railway Limited* (the "SW/SE CPO Applications") and the final determination of any appeals arising out of that judgment

**AND HAVING REGARD TO** the Tribunal's powers pursuant to Rule 85 of the Competition Appeal Tribunal Rules 2015

**BY CONSENT IT IS ORDERED THAT:**

1. These proceedings are stayed until one month after the final determination (including any appeals) of the SW/SE CPO Applications.
2. Within one month of the final determination (including any appeals) of the SW/SE CPO Applications, the Proposed Class Representative shall be permitted to withdraw his application for a collective proceedings order in order to take account of the judgment or judgments relating to the SW/SE CPO Applications.
3. There be liberty to apply.
4. No order as to costs in relation to the making of this order.

**The Honourable Mr Justice Marcus Smith**  
President of the Competition Appeal Tribunal

Made: 15 December 2021  
Drawn: 15 December 2021