



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

Case No: 1425/7/7/21

BETWEEN:

**JUSTIN GUTMANN**

Class Representative

- v -

**(1) GOVIA THAMESLINK RAILWAY LIMITED**

**(2) GOVIA LIMITED**

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

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

Defendants

- and -

**SECRETARY OF STATE FOR TRANSPORT**

Intervener

Case No: 1304/7/7/19

**JUSTIN GUTMANN**

Class Representative

- v -

**(1) FIRST MTR SOUTH WESTERN TRAINS LIMITED**

**(2) STAGECOACH SOUTH WESTERN TRAINS LIMITED**

Defendants

- and -

**SECRETARY OF STATE FOR TRANSPORT**

Intervener

Case No: 1305/7/7/19

**JUSTIN GUTMANN**

Class Representative

- v -

**(1) LONDON & SOUTH EASTERN RAILWAY LIMITED**

**(2) GOVIA LIMITED**

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

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

Defendants

- and -

**SECRETARY OF STATE FOR TRANSPORT**

Intervener

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**ORDER**

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**UPON** the Order of the Tribunal of 18 January 2022 granting a Collective Proceedings Order (“**CPO**”) in Cases 1304 and 1305/7/7/19 (the “**SW Proceedings**” and “**SE Proceedings**” respectively)

**AND UPON** the Order of the Tribunal of 3 July 2023 granting a CPO in Case 1425/7/7/21 (the “**GTR Proceedings**”)

**AND UPON** the Order of the Tribunal of 5 April 2023 directing that the SW Proceedings, SE Proceedings and GTR Proceedings shall be jointly case managed and tried together (together, the “**Proceedings**”)

**AND UPON** the order made by the Tribunal after hearing Counsel for the parties at a CMC held on 27 September 2023 for the provision of information regarding the Class Representative’s litigation funding agreement

**AND UPON** the application by the Defendants dated 16 October 2023

**AND UPON** reading the correspondence between the solicitors to the parties and the letter to the Tribunal from the solicitors to the Class Representative dated 17 October 2023

**IT IS ORDERED THAT :**

1. By 4pm on 27 October 2023, the Class Representative shall file and serve the information requested by the Defendants in:
  - a. paragraphs 3 and *2bis* of Slaughter and May’s letter dated 29 September 2023;  
and
  - b. paragraph 5 of Slaughter and May’s letter dated 6 October 2023  
(the “**Additional Funding Information**”).
2. By 4pm on the date falling 7 days after the deadline for the Class Representative to provide the Additional Funding Information, the Defendants shall file and serve any submissions in relation to the enforceability and adequacy of the Class Representative’s Funding Arrangements or confirm that they raise no challenge to those arrangements.
3. By 4pm on the date falling 14 days after the deadline for the Class Representative to provide the Additional Funding Information , in the event that one or more Defendants challenges the Class Representative’s Funding Arrangements, the Class Representative shall file and serve any reply submissions.
4. By 4pm on the date falling 21 days after the deadline for the Class Representative to provide the Additional Funding Information, in the event that one or more Defendants challenges the Class Representative’s Funding Arrangements, the parties will indicate

to the Tribunal whether they seek an oral or written determination of any issues in dispute.

**The Honourable Mr Justice Roth**  
Chair of the Competition Appeal Tribunal

Made: 19 October 2023  
Drawn: 19 October 2023