



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 PLC

(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 PLC

(4) KEOLIS (UK) LIMITED

Defendants

- and -

SECRETARY OF STATE FOR TRANSPORT

Intervener

CONSENT ORDER (EXTENSION OF TIME)

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

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/SE Proceedings and the GTR Proceedings shall be jointly case managed and tried together

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 agreements

AND UPON the Order of the Tribunal of 19 October 2023 (the "**19 October Order**") in the SW/SE and GTR Proceedings directing *inter alia* the Class Representative to file and serve the Additional Funding Information (as defined in the 19 Order Order) by 4pm on 27 October 2023

AND UPON the Class Representative having filed and served the Additional Funding Information on 27 October 2023 pursuant to paragraph 1 of the 19 October Order

AND UPON the Defendants having filed and served submissions in relation to the enforceability and adequacy of the Class Representative's funding arrangements on 3 November 2023 pursuant to paragraph 2 of the 19 October Order

AND UPON the parties having reached agreement on the terms of this Consent Order

BY CONSENT IT IS ORDERED THAT:

1. The time for the Class Representative to file and serve any reply submissions, pursuant to paragraph 3 of the 19 October Order, shall be extended to 4pm on 14 November 2023.
2. In the event that one or more Defendants challenges the Class Representative's funding arrangements, the time for the parties to indicate to the Tribunal whether they seek an oral or written determination of any issues in dispute, pursuant to paragraph 4 of the 19 October Order, shall be extended to 4pm on 21 November 2023.

The Honourable Mr Justice Roth
Chair of the Competition Appeal Tribunal

Made: 13 November 2023
Drawn: 13 November 2023