



IN THE COMPETITION
APPEAL TRIBUNAL

Case No: 1404/7/7/21

BETWEEN:

DAVID COURTNEY BOYLE

Class Representative

- v -

(1) GOVIA THAMESLINK LIMITED
(2) THE GO-AHEAD GROUP LIMITED
(3) KEOLIS (UK) LIMITED

Defendants

- and -

SECRETARY OF STATE FOR TRANSPORT

Intervener

CONSENT ORDER

UPON the Class Representative's solicitors having informed the Tribunal and the Parties of the Class Representative's death on 23 June 2025¹

AND UPON the Parties having agreed to stay these proceedings for a three-month period to allow the identification and application for certification of a suitable alternative class representative

AND UPON the Defendants' applications of 10 January 2025 for orders for the Defendants' costs thrown away as a result of the Class Representative's change of economic expert ("**Defendants' Change of Expert Costs**")

¹ References to the Class Representative in this Consent Order refer to Mr David Courtney Boyle and his estate.

AND UPON the Tribunal's Judgment dated 1 May 2025

AND UPON the Parties having agreed the terms of this Order

AND HAVING REGARD TO the Tribunal's powers under Rule 85 and Rule 104 of the Competition Appeal Tribunal Rules 2015

BY CONSENT IT IS ORDERED THAT:

Stay of the proceedings

1. These proceedings are stayed for a period of three months from the date of this Order, save in relation to any work that is necessary for the identification and application for approval of a suitable alternative class representative.
2. At a minimum, the Class Representative's solicitors shall, on 12 August 2025 and on a monthly basis thereafter during the period of the stay, update the Tribunal and the Parties in writing on their progress in identifying a suitable alternative class representative and the preparation of any application for approval of that alternative class representative.
3. Costs incurred by the Class Representative's solicitors during the period from 23 June 2025 until the expiry of the stay shall be borne by the Class Representative or any certified alternative class representative in any event.

The Defendants' Change of Expert Costs

4. The Class Representative shall pay the Defendants' Change of Expert Costs, such costs to be subject to detailed assessment.
5. The Class Representative's solicitors shall make a payment on account under Rule 104(2) of the Competition Appeal Tribunal Rules of the Defendants' Change of Expert Costs in the amount of £100,000, to be paid within 14 days of this Order.

Other

6. Liberty to apply.

The Honourable Mr Justice Miles
Chair of the Competition Appeal Tribunal

Made: 23 July 2025
Drawn: 23 July 2025