



**IN THE COMPETITION APPEAL
TRIBUNAL**

Case no. 1404/7/7/21

BETWEEN:

DAVID COURTNEY BOYLE

Class Representative

and

(1) GOVIA THAMESLINK RAILWAY LIMITED

(2) THE GOAHEAD GROUP LIMITED

(3) KEOLIS (UK) LIMITED

Defendants

and

SECRETARY OF STATE FOR TRANSPORT

Intervener

ORDER

UPON the Class Representative's solicitors, Maitland Walker LLP ("MW"), having informed the Tribunal and the Parties of the Class Representative's death on 23 June 2025

AND UPON the Order of the Tribunal dated 23 July 2025 staying these proceedings by consent for a three-month period to allow the identification and application for certification of a suitable alternative class representative (the "**Stay Order**")

AND UPON the letter from MW dated 10 October 2025 informing the Tribunal that a proposed replacement class representative, Mr Walker Hugh Merricks CBE, has been identified

AND UPON the letter from Mr Merricks dated 11 October 2025 seeking admission to the confidentiality ring established for the proceedings (the “**CRO Request**”)

AND UPON the letter from Mr Merricks dated 14 October 2025 seeking an extension to the stay specified in paragraph 1 of the Stay Order to file an application to be authorised as the Class Representative in these proceedings (the “**Application**”) (the “**Extension Request**”)

AND UPON the Order of the Tribunal dated 16 October 2025 granting the Extension Request

AND UPON reading the letter from the solicitors for Mr Merricks dated 20 November 2025, informing the Tribunal that Mr Merricks does not presently proceed with the CRO Request

AND UPON reading the correspondence from the solicitors for the parties and Mr Merricks

IT IS ORDERED THAT:

Stay of proceedings

1. These proceedings are further stayed until 16 December 2025, save in relation to any work that is necessary for the Application.

Provision of documents

2. MW shall provide to Mr Merricks:
 - a. All documents that have been filed with the Tribunal and served on the Class Representative by the Defendants and/or the Intervener that do not contain or refer to confidentiality ring information by 4pm, 26 November 2025;
 - b. All correspondence sent by any of the parties to the Tribunal and from the Tribunal to any of the parties which is in the possession of MW that does not contain or refer to confidentiality ring information by 4pm, 26 November 2025; and
 - c. All inter partes correspondence that does not contain or refer to confidentiality ring information by 4pm on 3 December 2025.

Payment of MW’s reasonable cost for the provision of documents

3. MW shall issue an itemised schedule of costs it has incurred in complying with paragraph 2 of this Order, and Mr Merricks then shall pay those reasonable costs incurred by MW up to a maximum of £15,000 plus VAT, which amount if not agreed will be summarily assessed by the Tribunal.

Costs

4. There shall be no order as to Mr Merricks' costs of dealing with the CRO Request or the Extension Request.
5. The costs of the Defendants and of the Intervener of dealing with the CRO Request and the Extension Request, if any, are reserved.
6. Liberty to apply.

The Honourable Mr Justice Butcher
Chair of the Competition Appeal Tribunal

Made: 25 November 2025
Drawn: 25 November 2025