



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

**B E T W E E N :**

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**

**“LSER Defendants”**

– and –

**WOODSFORD GROUP LIMITED**

**The “Funder”**

Case No.: 1425/7/7/21

**JUSTIN GUTMANN**

**Class Representative**

– v –

**(1) GOVIA THAMESLINK RAILWAY LIMITED**

**(2) GOVIA LIMITED**

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

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

**“GTR Defendants”**

– and –

**WOODSFORD GROUP LIMITED**

**The “Funder”**

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**ORDER**

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**UPON** the Tribunal having given judgment in the LSER Defendants’ and the GTR Defendants’ (together, the “**LSER/GTR Defendants**”) favour on 17 October 2025 [2025] CAT 64 (the “**Trial 1 Judgment**”)

**AND UPON** the LSER/GTR Defendants having filed on 7 November 2025 their joint costs application with the Tribunal further to the Trial 1 Judgment (the “**Costs Application**”)

**AND UPON** the LSER/GTR Defendants’ application dated 19 December 2025 for a non-party costs order against the Funder (the “**NPCO Application**”), that application having been made together with the Defendant in joined case number 1304/7/7/19 (“**First MTR**”)

**AND UPON** the Class Representative making an interim payment of £7,500,000 to the LSER/GTR Defendants on 19 February 2026 further to the Costs Application (the “**Interim Payment**”)

**AND UPON** the Tribunal’s judgment on costs dated 13 March 2026 [2026] CAT 21 (the “**Costs Judgment**”)

**AND UPON** the Class Representative and the LSER/GTR Defendants agreeing, in light of the Costs Judgment, that the Interim Payment will become final in full and final settlement of the Class Representative’s liability for the LSER/GTR Defendants’ costs pursuant to paragraph 41(1) of the Costs Judgment.

**AND UPON** the LSER/GTR Defendants having reached an agreement with the Class Representative regarding the Class Representative’s liability for the LSER/GTR Defendants’ costs pursuant to paragraph 41(1) of the Costs Judgment

**AND UPON** the LSER/GTR Defendants having reached an agreement with the Class Representative regarding the sum payable by them in respect of the Class Representative's costs of dealing with the Costs Application pursuant to paragraph 42(1) of the Costs Judgment

**AND UPON** the LSER/GTR Defendants having reached an agreement with the Funder in respect of the sum payable by the LSER/GTR Defendants in respect of the LSER/GTR Defendants' liability for the Funder's costs of the NPCO Application pursuant to paragraph 42(2) of the Judgment

**AND UPON** the LSER/GTR Defendants and the Funder agreeing that, while their agreement referred to above is not intended to (i) release, discharge, or otherwise affect any of First MTR's liability for, or (ii) prejudice any rights of the Funder to pursue First MTR for the balance of, the Funder's costs of the NPCO Application pursuant to paragraph 42(2) of the Judgment, the Funder shall seek to recover from First MTR only the amount that it would be just and equitable for First MTR (as distinct from the LSER/GTR Defendants) to be liable for, having regard to the extent of First MTR's responsibility for the Funder's costs of the NPCO Application pursuant to paragraph 42(2) of the Judgment)

**IT IS ORDERED THAT:**

1. The actions against the LSER and GTR Defendants are dismissed.
2. The LSER/GTR Defendants shall pay to the Class Representative the sum of £62,000 in full and final settlement of the LSER/GTR Defendants' liability for costs pursuant to paragraph 42(1) of the Costs Judgment. The payment shall be made within 28 days of the date of this Order.
3. The Class Representative releases all claims against the LSER/GTR Defendants arising under or in connection with paragraph 42(1) of the Costs Judgment such that the LSER/GTR Defendants shall have no further liability to the Class Representative.
4. The LSER/GTR Defendants shall pay to the Funder the sum of £36,000 in full and final settlement of the LSER/GTR Defendants' liability for costs pursuant to paragraph 42(2) of the Judgment. The payment shall be made within 28 days of the date of this Order.

5. Neither the Class Representative nor the Funder shall have any further costs liability to the LSER/GTR Defendants in respect of the Proceedings.

**Sir Peter Roth**

Chair of the Competition Appeal Tribunal

Made: 21 April 2026

Drawn: 21 April 2026