



**IN THE COMPETITION APPEAL
TRIBUNAL**

Case No 1404/7/7/21

BETWEEN:

DAVID COURTNEY BOYLE

Late 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

ORDER

UPON the Competition Appeal Tribunal (the “**Tribunal**”) on 25 July 2022 granting the Class Representative’s application for a collective proceedings order pursuant to section 47B of the Competition Act 1998 and Rule 75 of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 No. 1648)

AND UPON the Tribunal having made a collective proceedings order on 5 October 2022 (the “**CPO**”)

AND 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 “**23 July 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, had been identified

AND UPON the Order of the Tribunal dated 16 October 2025 further staying the proceedings until 20 November 2025

AND UPON the Order of the Tribunal dated 25 October 2025 further staying the proceedings until 16 December 2025

AND UPON the Order of the Tribunal dated 15 December 2025 further staying the proceedings until 30 January 2026

AND UPON Mr Merricks notifying the Defendants, the Intervener and the Tribunal on 29 January 2026 that he did not intend to pursue his proposed application for authorisation as replacement class representative

AND UPON the indication that a further application for authorisation as class representative in the Proceedings is planned (the “**Proposed Authorisation Application**”)

AND UPON hearing counsel for the Estate of David Courtney Boyle, leading counsel for the Defendants and counsel for the Intervener at a hearing on 15 April 2025

AND UPON the Tribunal indicating at the 15 April 2026 hearing that it was prepared to extend the stay for the period requested, provided any Proposed Authorisation Application was made in final form at the end of that period

IT IS ORDERED THAT:

1. These proceedings are further stayed until 24 July 2026, save in relation to any work that is necessary for the Proposed Authorisation Application.
2. Unless the Proposed Authorisation Application is filed by 4pm on 24 July 2026, the Proceedings are decertified and the CPO revoked without further order.

3. If the Proposed Authorisation Application is filed in compliance with paragraph 2, the Defendants and the Intervener (if so advised) shall file and serve their response(s) to the Proposed Authorisation Application by 4pm on the date falling three weeks prior to the first date of the hearing listed pursuant to paragraph 4.
4. A two-day hearing shall be listed on 22 and 23 September 2026. The purpose of the hearing shall be (alternatively) (i) if the Proposed Authorisation Application is filed in compliance with paragraph 2, to consider the Proposed Authorisation Application as filed on 24 July 2026 or amended in accordance with paragraph 6 below, or (ii) if no Proposed Authorisation Application is filed, to consider matters consequential to the decertification of the Proceedings, including the Defendants' application for their costs of the Proceedings and (if so advised) the Intervener's application for its costs of the Proceedings.
5. The proposed replacement class representative, the Defendants and the Intervener shall file and exchange skeleton arguments by 4pm on the date falling 7 days prior to the first date of the hearing referred to in paragraph 4.
6. No amendment may be made to the Proposed Authorisation Application as filed and served on 24 July 2026 without the approval of the Tribunal.

The Honourable Mr Justice Butcher
Chair of the Competition Appeal Tribunal

Made: 20 April 2026
Drawn: 20 April 2026