



**IN THE COMPETITION
APPEAL TRIBUNAL**

B E T W E E N :

Case No.: 1624/7/7/23

JUSTIN GUTMANN

Class Representative

-AND-

- (1) VODAFONE LIMITED**
- (2) VODAFONE GROUP PLC**

Defendants

Case No.: 1625/7/7/23

JUSTIN GUTMANN

Class Representative

-AND-

- (1) EE LIMITED**
- (2) BT GROUP PLC**

Defendants

Case No.: 1626/7/7/23

JUSTIN GUTMANN

Class Representative

-AND-

(1) HUTCHISON 3G UK LIMITED

Defendant

Case No.: 1627/7/7/23

JUSTIN GUTMANN

Class Representative

-AND-

(1) TELEFONICA UK LIMITED

Defendant

CONSENT ORDER

UPON the Class Representative’s (the “**CR**”) applications for a collective proceedings order (“**CPO**”) in each of the proceedings 1624-7/7/7/23 (the “**Four Related Proceedings**”) (the “**CPO Applications**”) pursuant to section 47B of the Competition Act 1998 (the “**Act**”) and Rule 75 of the Competition Appeal Tribunal Rules 2015 (the “**CAT Rules**”), combining claims in respect of losses alleged to have been caused by the Defendants’ alleged unlawful conduct in breach of section 18 of the Act (the “**Claims**”)

AND UPON the Defendants’ application dated 2 May 2024 to strike out and/or summarily dismiss the Claims insofar as they accrued prior to 1 October 2015 on the basis that such Claims are time-barred (the “**First Period Application**”)

AND UPON the Defendants’ application dated 2 May 2024 for the CR to disclose specified information in respect of costs and funding (the “**Disclosure Application**”)

AND UPON the Tribunal's Order dated 24 June 2024 dismissing the Disclosure Application and reserving the costs of the Disclosure Application to the hearing of the CPO Applications

AND UPON the application by Vodafone Limited, Vodafone Group PLC, EE Limited, BT Group PLC and Hutchison 3G UK Limited dated 21 October 2024 to strike out and/or summarily dismiss the Claims insofar as they concern losses incurred in the period from 1 October 2015 to 8 March 2017 on the basis that such Claims are time-barred (the "**Second Period Application**")

AND UPON the Tribunal's judgment dated 14 November 2025 ([2025] CAT 77) granting the CPO Applications, granting the First Period Application and refusing the Second Period Application (the "**Judgment**")

AND UPON the parties' applications for costs further to the Judgment dated 19 December 2025

AND UPON the parties' responsive submissions on costs dated 9 January 2026

AND UPON the parties' revised costs schedules dated 26 January 2026, calculated by reference to the London Band 1 Guideline Hourly Rates (the "**Guideline Rates**")

AND UPON the Tribunal's costs ruling dated 11 May 2026 ([2026] CAT 44), amended pursuant to Rule 114(3) of the CAT Rules on 12 May 2026 (the "**Costs Ruling**")

AND UPON the Tribunal's further direction dated 11 May 2026, directing the parties to file an agreed draft consent order reflecting the Costs Ruling

BY CONSENT IT IS ORDERED that:

1. The Defendants in the Four Related Proceedings shall be jointly and severally liable to pay the CR's costs, summarily assessed in the following sums:
 - (a) £793,885.92 in relation to the CR's costs of and occasioned by his successful CPO Applications;
 - (b) £41,745.60 in relation to the CR's costs of and occasioned by successfully resisting the Disclosure Application; and

- (c) £54,376.65 in relation to the CR's costs of dealing with costs-related matters consequential to the Judgment.
2. Vodafone Limited, Vodafone Group PLC, EE Limited, BT Group PLC and Hutchison 3G UK Limited shall be jointly and severally liable to pay the CR's costs of and occasioned by successfully opposing the Second Period Application, summarily assessed in the sum of £259,315.35.
 3. The sums set out in paragraphs 1 and 2 above shall be paid within 21 days of the date of the Costs Ruling.
 4. The CR shall pay the Defendants' costs of and occasioned by the First Period Application, summarily assessed in the following sums:
 - (a) £306,546.05 to Telefonica UK Limited;
 - (b) £91,194.55 to Hutchison 3G UK Limited;
 - (c) £91,659.70 to Vodafone Limited and Vodafone Group PLC; and
 - (d) £82,033.12 to EE Limited and BT Group PLC.
 5. The sums set out in paragraph 4 above shall be paid within 21 days of the date of the Costs Ruling.
 6. The payment obligations in paragraphs 1 to 5 above shall be discharged by the following net payments, each to be made within 21 days of the date of the Costs Ruling:
 - (a) Hutchison 3G UK Limited shall pay the CR the sum of £217,745.94;
 - (b) Vodafone Limited and Vodafone Group PLC shall pay the CR the sum of £217,280.79;
 - (c) EE Limited and BT Group PLC shall pay the CR the sum of £226,907.37; and
 - (d) the CR shall pay Telefonica UK Limited the sum of £84,044.01.

The Honourable Lord Richardson
Chair of the Competition Appeal Tribunal

Made: 26 May 2026
Drawn: 26 May 2026