



**IN THE COMPETITION APPEAL
TRIBUNAL**

Case No 1404/7/7/21

BETWEEN:

DAVID COURTNEY BOYLE

Late Class Representative

- v -

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

Defendants

- and -

SECRETARY OF STATE FOR TRANSPORT

Intervener

CONSENT ORDER

UPON the Order of the Tribunal dated 28 November 2022, which awarded an interim payment by the Defendants to the Late Class Representative of £250,000 (the **Defendants' Interim Payment**)

AND UPON the Defendants making the Defendants' Interim Payment

AND UPON the Orders of the Tribunal dated 1 May 2025 and 7 May 2025, which awarded two interim payments by the Late Class Representative to the Defendants of £350,000 in total (the **Late Class Representative's Interim Payments**)

AND UPON the Late Class Representative making the Late Class Representative's Interim Payments

AND UPON the Order of the Tribunal dated 20 April 2026 (the **April Order**) confirming that unless a further application for authorisation of the proposed class representative (the **Proposed Authorisation Application**) was filed by 4pm on 24 July 2026, the Proceedings would be decertified and the CPO revoked without further order

AND UPON the confirmation from the Late Class Representative's solicitors that the proposed class representative would not be filing a Proposed Authorisation Application

AND UPON the Proceedings being decertified and the CPO revoked as a result of the April Order

AND UPON the Defendants having reached an agreement with the Late Class Representative regarding the Late Class Representative's liability for the Defendants' costs of the Proceedings

AND UPON the Late Class Representative and the Defendants agreeing that the Late Class Representative's Interim Payments and the Defendants' Interim Payment will become final

IT IS ORDERED BY CONSENT THAT:

1. The Late Class Representative shall pay to the Defendants the sum of £7,650,000 in full and final settlement of the Late Class Representative's liability for the Defendants' costs of the Proceedings, and the Defendants' liability for the Late Class Representative's costs of the Proceedings. The payment shall be made within 28 days of the date of this Order.
2. The Defendants release all liabilities and potential claims against the Late Class Representative, his funder (LCM Funding UK Limited) and his solicitors (Maitland Walker LLP) for the Defendants' costs arising from the Proceedings, such that the Late Class Representative, his funder and his solicitors shall have no liability to the Defendants for such costs.
3. The Late Class Representative releases all liabilities and potential claims against the Defendants for the Late Class Representative's costs arising from the Proceedings, such

that the Defendants shall have no liability to the Late Class Representative for such costs.

4. Nothing in this Order shall be taken as an admission by the Late Class Representative, his Estate or Sarah Burns (as the Executor of his Estate) of any liability, or as a determination of, or as affecting, any application by the Intervener for its costs of the Proceedings, and all parties' rights in respect of any such application are reserved.

Mr Hodge Malek KC
Chair of the Competition Appeal Tribunal

Made: 26 October 2026
Drawn: 26 October 2026