



**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

“**Late Class Representative**” means David Courtney Boyle, deceased, and, where the context requires, his estate acting by its personal representative.

UPON the judgment of the Tribunal dated 1 May 2025 in which the Tribunal indicated that it would order the Late Class Representative to pay the Intervener’s costs thrown away by the Late CR’s change of economics expert (the “**Change of Expert Costs**”), such costs to be subject to detailed assessment

AND UPON that part of the Tribunal’s judgment of 1 May 2025 dealing with the Change of Expert Costs never having been formalised into a consequential order due to the death of the Late Class Representative on 20 June 2025

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 Intervener having reached an agreement with the Late Class Representative regarding the Late Class Representative’s liability for the Intervener’s costs of the Proceedings

IT IS ORDERED BY CONSENT THAT:

1. The Late Class Representative shall pay to the Intervener the sum of £8,500 in full and final settlement of the Late Class Representative’s liability for the Intervener’s costs of the Proceedings (including the Change of Expert Costs and any and all other claims or entitlements which the Intervener has or may assert in respect of its costs of, or costs arising from, the Proceedings). The payment shall be made within 28 days of the date on which this Order is drawn.
2. Upon receipt of the payment referred to in paragraph 1, the Intervener releases the Late Class Representative (including his Estate and personal representative), LCM Funding UK Limited and Maitland Walker LLP from all liabilities and claims, whether actual or contingent, in respect of the Intervener’s costs of, or costs arising from, the Proceedings.

Mr Hodge Malek KC
Chair of the Competition Appeal Tribunal

Made: 28 October 2026
Drawn: 28 October 2026