



**IN THE COMPETITION APPEAL
TRIBUNAL**

Case No 1404/7/7/21

BETWEEN:

DAVID COURTNEY BOYLE

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 (DIRECTIONS)

UPON the Class Representative having on 31 May 2024 filed and served an application for permission to adduce survey evidence (the “Survey Application”) and an application to rely on expert accounting evidence

AND UPON consideration of the sixth witness statement of Mr. Julian Henry Maitland-Walker dated 31 May 2024 in support of an application by the Class Representative pursuant to Rules 53 and 55 of the Competition Appeal Tribunal Rules 2015

AND UPON the Class Representative undertaking that any names and addresses of respondents to the survey that are collected by the Class Representative's survey consultants shall not be provided to the Class Representative nor to his legal representatives, but shall be retained by the Class Representative's survey consultants

AND HAVING REGARD TO the Tribunal's powers under the Competition Appeal Tribunal Rules 2015

IT IS ORDERED THAT:

Survey Evidence

1. The Class Representative be permitted to adduce survey evidence.
2. The Class Representative's survey consultant shall comply with the reasonable operational access requirements of the First Defendant in relation to the conduct of the survey.
3. The Class Representative's survey consultant will provide its datapacks, full survey responses, codings and workings with the Class Representative's submission of his positive case on 31 July 2024.

Accounting Expert Evidence

4. The Class Representative be permitted to adduce expert accounting evidence from an expert in the field of accounting.

Miscellaneous

5. There be liberty to apply.

Sir Marcus Smith
President of the Competition Appeal Tribunal

Made: 7 June 2024
Drawn: 7 June 2024