PRESS RELEASE

UK COMPETITION APPEAL TRIBUNAL APPROVES £25M SETTLEMENT IN WOODSFORD BACKED PROCEEDINGS AGAINST STAGECOACH

LONDON, 12 MAY 2024.

On Friday 10 May 2024, London's specialist competition court, the Competition Appeal Tribunal ("CAT"), handed down a judgment approving a £25m settlement between the class representative, Justin Gutmann, and the settling Defendant, Stagecoach South Western Trains Limited ("Stagecoach"). It is estimated that in excess of 1.4m rail passengers ("Class Members") may be eligible for a share of the settlement sum.

This is only the second approved settlement in the CAT collective proceedings regime, with the first being a partial settlement in the Mark McLaren car delivery charges opt-out proceedings (McLaren v MOL (Europe Africa) Limited & Others) – an action also backed by Woodsford.

Justin Gutmann, formerly of Citizens Advice and the Class Representative on behalf of class members, alleged that Stagecoach abused its dominant position for a period that it operated the South Western railway franchise (SW Proceedings). The allegation was that Stagecoach did not make 'boundary fares' or 'extension tickets' sufficiently available for purchase for travel on its services and that many passengers were therefore charged twice for part of a journey. Stagecoach agreed the settlement with no admissions of liability. Proceedings in respect of the Non-Settling Defendant in the SW Proceedings, First MTR South Western Trains Limited, remain ongoing.

The claim was the first of its kind to be filed in the UK in February 2019, being a standalone, opt-out class action alleging abuse of a dominant position. It was certified by the CAT and given the green light to proceed in October 2021, with an appeal against that certification being dismissed in July 2022. Similar claims were filed by Justin Gutmann, and backed by Woodsford, in relation to the Southeastern rail franchise (SE Proceedings) and the Thameslink, Southern, Great Northern, and Gatwick Express routes (GTR proceedings). The SW, SE and GTR Proceedings are all being case managed and heard together by the CAT, with a trial on the issue of abuse listed for 3-4 weeks in June 2024.

Woodsford, a global leader in collective redress, ESG and litigation finance, has provided significant, multi-million pound funding for legal fees and other costs since 2018 and continues to do so for the remaining claims.

Steven Friel, Woodsford's Chief Executive Officer, commented:

> *"This settlement approval confirms Woodsford as the most active and the most successful litigation funder in the CAT collective proceedings regime. Our actions have resulted in the first two, and as yet only, court-approved settlements in the regime.*
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> *I was particularly pleased to read the Tribunal's expression of gratitude for the parties, their lawyers and Woodsford "coming together to come up with something that is acceptable in the interests of the class members" (judgement, para 41).*
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> *The Tribunal repeatedly acknowledged the central role that funders like Woodsford play in collective actions, noting that Woodsford's funding is "integral to the viability" of the claims being brought by Mr. Gutmann. More generally, the Tribunal noted: "without the funders, many of the cases for collective settlement proceeding cases will not be able to get off the ground. Lawyers will not take on cases like the present without some form of payment, and funders are central to providing the capital for this" (judgment, para 45)."*

You can find out further information about the case at https://www.boundaryfares.com/

[**Ends**]

Notes to Editors

Justin Gutmann represents rail passengers in the SE Proceedings, SW Proceedings and GTR Proceedings. He has a wealth of experience working in the consumer rights sphere and he has strong expertise in the transport sector. He has spent a large part of his professional life dedicated to consumer welfare, public policy and market research. His previous roles include Head of Research and Insight at Citizens Advice, and Market Planning Manager at London Underground.

Mr Gutmann is represented by the law firms Charles Lyndon.

Mr Gutmann is funded in his claim by Woodsford, a collective redress specialist.

About Woodsford

Woodsford is a global leader in collective redress. Whether it is helping consumers achieve collective redress or helping shareholders in collaborative, escalated engagement up to and including litigation with listed companies, Woodsford is committed to ESG and access to justice. Working with many of the world's leading law firms, our strength lies in the combination of our legal experience, investment, business and technical expertise, together with significant financial resources.

Interviews, photos and biographies available on request.

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