



IN THE COMPETITION
APPEAL TRIBUNAL

Case: 1044/2/1/04

BETWEEN:

M.E. BURGESS, J.J. BURGESS AND S.J. BURGESS
(trading as J.J. BURGESS & SONS)

Appellants

-v-

OFFICE OF FAIR TRADING

Respondent

and

(1) W AUSTIN & SONS (STEVENAGE) LIMITED

(2) HARWOOD PARK CREMATORIUM LIMITED

(3) THE CONSUMERS' ASSOCIATION

Interveners

ORDER OF THE TRIBUNAL

UPON handing down judgment on the merits of the appeal

AND UPON hearing the legal representatives of the parties

AND UPON the respondent having agreed to pay the appellant's costs, subject to agreeing the amount of costs to be paid

IT IS ORDERED THAT:

1. The respondent pay the appellant's costs of the appeal, and of the proceedings in cases 1037(IR)/2/1/04 and 1038/2/1/04, the amount of such costs to be agreed and failing agreement, such costs to be assessed by the Tribunal pursuant to rule 55(3) of the Tribunal's Rules on the application of either party.

2. There be no order for the costs of the interveners.

Sir Christopher Bellamy
President of the Competition Appeal Tribunal

Made: 6 July 2005
Drawn: 6 July 2005