



EDWARD COULSON

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BIOGRAPHY

Ed advises on complex competition litigation and class actions. His practice is focused on collective proceedings in the Competition Appeal Tribunal, cartel damages actions, abuse of dominance claims, and other competition and regulatory disputes, regularly involving group claims. Ed has been at the forefront of major competition litigation for the last 15 years. He and his team won Litigation Team of the Year at The Lawyer Awards 2023 for their win at trial in the first UK Trucks claim, now the leading cartel damages judgment in the UK.

A "LEADING INDIVIDUAL"

Ed is recognised as a 'Leading Individual' by Legal 500 and is ranked in Chambers UK (Band 2). Ed is "on top of all the detail and a committed fighter for his clients" (Legal 500 UK 2023), he is noted

as “so calm, so good at explaining where we need to be and why we're doing what we're doing. He can take a step back to see the full picture and is a great strategist.” (Chambers and Partners UK 2022).

Collective actions are growing in competition law disputes and Ed has acted both for and against large claimant groups. Ed has also acted both for and against claimants whose claims are funded by litigation funders. Understanding the practical and commercial dynamics of group and funded litigation, as Ed does, is vital to achieving successful outcomes in these cases.

Ed's substantial competition litigation experience includes:

- Cartel infringement claims - claimant side – acting for lead claimants in three of the most significant UK cartel damages cases of the last decade: Trucks, Air Cargo, and Gas Insulated Switchgear. Ed is at the forefront of the Trucks cartel litigation, currently acting for six separate corporate claimants including the first case to be brought in England.
- Cartel infringement claims - defendant side – acting for defendants in multi-national Cathode Ray Tubes follow-on claim and against a claimant group stand-alone claim for alleged FX market collusion.
- Abuse of dominance claims – acting for defendant in stand-alone allegation of tying, resolved at mediation; acting for defendant in high value stand-alone claim for damages and loss of chance profits arising from alleged pricing abuses.

Ed also advises on commercial and contractual disputes, including claims arising out of corporate and financial transactions. He has experience both of settling disputes by negotiation and mediation as well as conducting multi-party litigation before the High Court and Court of Appeal.

Ed has a Postgraduate Diploma in EU Competition Law, is qualified as a Solicitor Advocate and is an Italian speaker. He is active in using technology and innovation to enhance client service delivery.

WHAT THEY ARE SAYING

- Future Leader, Global Competition Review's Who's Who Legal 2020
- “Edward Coulson wins high praise for “building up the contentious practice at the firm” and is noted for doing an “excellent job in the trucks cartel litigation”.” (Who's Who Legal, 2020)
- Ed is ranked Band 2 in Chambers and Partners 2021 for Competition Law: Private Enforcement: Claimant in UK

- “Edward Coulson represents clients from the utilities sector in cartel follow-on damages claims. He also has experience acting for defendants on competition litigation cases.” (Chambers and Partners, 2021)
- Ed is ranked a leading individual in Legal 500 for Competition Litigation
- “Competition litigation head Edward Coulson is ‘very knowledgeable about issues that could arise in litigation funding’.” (Legal 500, 2021)
- “Ed Coulson and Andrew Leitch are the ‘Batman and Robin’ of UK competition litigation – a dynamic duo who resolve the biggest cases.” (Legal 500, 2021)

THE GROWTH OF CLASS ACTIONS: WHAT’S NEXT?

We explore the rapidly changing legal landscape

ADMISSIONS

- England and Wales

RELATED PRACTICE AREAS

- Antitrust
- Class Actions
- Business & Commercial Disputes
- Investigations
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Class Actions & Mass Torts
- UK & EU Class Actions
- Financial Services
- Consumer Fraud
- Insurance (Class Actions)
- Pharmaceutical & Medical Devices (Class Actions)

EXPERIENCE

ACTING FOR

- Royal Mail in its application for permission to appeal to the Supreme Court (to overturn the Court of Appeal's decision in *Royal Mail plc v Office of Communications and Whistl UK Limited* [2021] EWCA Civ 669) and in defending a related private damages action brought in the High Court by Whistl UK Limited
- Royal Mail, BT, Dawsongroup, ABF, BFS and Enterprise in pursuing separate private damages actions in the High Court and Competition Appeal Tribunal, following on from a European Commission Decision (Case AT.38924 - Trucks)
- Morgan Stanley in defending a "stand alone" private damages action in the Commercial Court concerning alleged collusion in the foreign exchange market, brought by over 170 institutional investors led by Allianz Global Investors GmbH
- Technicolor in defending a private damages action in the High Court, following on from a European Commission Decision (Case AT.39437 – TV and computer monitor tubes)
- A litigation funder on the terms of a litigation funding package for a potential "opt-out" collective action
- Scottish Power in its damages claim against high voltage power cable manufacturers, following on from a European Commission Decision (Case AT.39610 – Power cables)
- Yazaki in relation to a follow on private damages action in the High Court brought by Fiat Chrysler relating to a European Commission Decision (Case AT.39748 – Automotive Wire Harnesses)
- National Grid, helping it to pursue one of Europe's largest cartel damages claims, which it brought against global suppliers of Gas Insulated Switchgear. The Firm won several turning-point rulings that changed the way the courts handle this kind of case and also influenced new European Union disclosure laws. The case was recognised with a number of high-profile industry awards including Global Competition Review's Cartel Prosecution Litigation of the Year 2015.

RESOURCES

SPEAKING ENGAGEMENTS

- June 2023 – chairing the panel on collective actions across Europe at The Competition Collective Actions Forum 2023, TL4 Competition.

- February 2023 - speaker on the panel at Informa Private Enforcement of Competition Law conference, Brussels on Review of National Developments Across 6 Key Jurisdictions
- December 2021 - speaker on the panel at Monckton Chambers NERA Economic Consulting Augusta Annual Competition Litigation conference on Collective Actions
- November 2021 – chairing the panel at the [ICLG Global Class Actions Symposium on The Role of the Lawyer in Class Actions](#).
- July 2021 – speaker on the panel at Monckton Chambers NERA Economic Consulting Summer Series on Cartels: From Leniency to Litigation.
- March 2021 – speaker on the panel at the 2021 Private Enforcement of Competition Law Informaconnect conference on Review of National Developments Across 5 Key Jurisdictions.
- December 2020 – speaker on the panel at Monckton Chambers NERA Economic Consulting Second Annual Competition Litigation on Reflections on Key Case Developments of 2020. The panel discussed the key cases, procedural developments and learnings from the Supreme Court.

RELATED INSIGHTS

News

Mar 20, 2024

Chambers Europe 2024

News

Feb 20, 2024

Chambers Global 2024

Insights

Nov 28, 2023

Unsettled settlement: resolving collective actions in the Competition Appeal Tribunal

News

Oct 19, 2023

Chambers UK Ranks BCLP in 41 practice areas and recognizes 74 lawyers

Awards

Oct 04, 2023

The Legal 500 UK ranks BCLP in 54 practice areas and recognizes 74 lawyers as “leading individuals”

Awards

Sep 19, 2023

BCLP Competition Lawyers Ranked in 'Who's Who Legal' 2023

News

Aug 14, 2023

Antitrust Team authored article in Legal 500: Competition Litigation Comparative Guide

Insights

Jul 26, 2023

Certification of Collective Actions in the CAT

To bring a collective competition action in the Competition Appeal Tribunal ("CAT"), a proposed class representative first has to have their claim certified by the CAT. The CAT's approach to certification is therefore an important issue and has been heavily scrutinised. In this Insight, we look at three recent judgments of the Competition Appeal Tribunal where the CAT has stalled the progression of the claims: *Gormsen v Meta Platforms, Inc.*, *Justin Gutmann v Apple Inc.*, and *Commercial and Interregional Card Claims*. We consider the factors that led to these decisions, which buck the trend over the last two years of class representatives achieving certification of their claims with relative ease, and set out our thoughts on the key learnings from the judgments.

Insights

Jul 12, 2023

Learning from the Trucks Cartel judgment: Mitigation

The Competition Appeal Tribunal's judgment in *Royal Mail and BT's claim against DAF Trucks* has provided welcome clarity on how the legal test for pass on should be applied. It provides helpful guidance on the factors that a defendant may rely on to establish a direct and proximate, causative link between an overcharge and downstream pricing. It also serves as a reminder of the importance that expert evidence takes due account of the observable facts of the case.