Case Numbers: 2202628/2018



EMPLOYMENT TRIBUNALS

Claimant Respondents

Mr S Obano AND MacQuarrie Group (1)

Artizian Catering Services Limited (2)

HEARD AT: London Central ON: 27 September 2018

BEFORE JUDGE: Employment Judge Hemmings

Representation

For Claimant: Mr J Sykes - Consultant

First Respondent: Ms K Fudakowski – Counsel

Second Respondent: Not in attendance

JUDGMENT ON A PRELIMINARY HEARING

The Judgment of the Employment Tribunal is to join Artizian Catering Services Limited as the Second Respondent to these proceedings, and to dismiss the Claimant's claims against the First Respondent upon withdrawal of those claims by the Claimant.

REASONS

The Preliminary Hearing Agenda

1. This is a Preliminary Hearing in public to determine an application by the First Respondent the MacQuarrie Group to strike-out the Claimant's claims against it.

Joining Artizian Catering Services Limited

- 2. There is agreement between the Claimant and the First Respondent that this matter should proceed not against the First Respondent but against Artizian Catering Services Limited (here after referred to as the Second Respondent).
- 3. That organisation is not represented by an officer of the company, lawyer or otherwise this morning but during the course of this Hearing solicitors representing the Second Respondent communicated with the Tribunal by email consenting on their client's behalf to their client being joined to these proceedings, agreeing in effect for a substitution to take place as the disclosed intention of the Claimant and the First Respondent, in that event, to the knowledge of the Second Respondent is the withdrawal of the claims against the First Respondent and formal dismissal of those claims by the Tribunal.

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4. In the context of such express and unqualified agreement between all three parties regarding the future of these proceedings the Judgment of the Tribunal is, as recorded above, to join Artizian Catering Services Limited as the Second Respondent and to dismiss the claims against the First Respondent upon such withdrawal.

- 5. The second part of the hearing addressed Case Management Orders consequential upon these developments and are separately recorded by the Tribunal as the discussion on Case Management took place in Chambers.
- 6. The Tribunal formally records, at the request of the Claimant and the First Respondent, their agreement that neither party shall make any claim for costs against the other.

Employment Judge Hemmings

Date 5 October 2018

JUDGMENT AND REASONS SENT TO THE PARTIES ON

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9 October 2018

FOR THE TRIBUNAL OFFICE