



EMPLOYMENT TRIBUNALS

Claimant: Miss L Jozefczyk

1st Respondent: Fulfilled Living Limited

2nd Respondent: Mr L Wainwright

Heard at: Liverpool (by video hearing)

On: 9 May 2022

Before: Employment Judge Buzzard (sitting alone)

REPRESENTATION:

Claimant: No Appearance

Respondents: Mr L Wainwright

JUDGMENT

The claims are struck out.

REASONS

1. The claimant failed to attend a final hearing listed to be conducted as a remote hearing on 9 May 2022 at 2:15pm. Notice of this hearing was sent to the parties on 15 February 2022. The date for the hearing was further confirmed to the parties on 14 April 2022.
2. No explanation for that failure was provided. Attempts to contact the claimant at the phone number provided by her were unsuccessful.

3. The respondent sent a copy of a witness statement, which appears to have been signed by the claimant, that appears to have been prepared in relation to a claim brought by a different claimant against the first respondent in this case. This statement states at paragraph 6:

“I believe that Mr Wainwright has used my messages within these proceedings against Miss Keogh because I have dropped proceedings and Miss Keogh is carrying on with her claim”.

4. This statement was referred to the Tribunal by Mr Wainwright by email of 16 November 2021. In the light of this the final hearing listed for 19 November 2021 was postponed and the claimant was asked by Employment Judge Ainscough to confirm the withdrawal of her claims by 10 December 2021. The claimant does not appear to have responded to this either way.
5. Despite the suggested withdrawal of her claims, because this was not sent to the Tribunal by the claimant and noting the absence of any confirmation by the claimant, the claims were treated as continuing. This hearing was therefore listed to determine the claimant’s claims. The claimant failed to attend and has made no contact with the Tribunal relating to this hearing.
6. It appears to the Tribunal that the claimant is no longer actively pursuing her claims. The claimant has not responded to correspondence and without explanation has failed to attend a hearing. The claims are therefore struck out.

Employment Judge Buzzard
9 May 2022

JUDGMENT SENT TO THE PARTIES ON
10 May 2022

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.