



EMPLOYMENT TRIBUNALS

Claimants: (1) Mr B Churchill
(2) Mr Z Nuseibeh
(3) Mr O Diallo

Respondent: Floreat Capital Markets Ltd

Heard at: London Central On: 17 December 2019
Before: Employment Judge Elliott

JUDGMENT ON RECONSIDERATION ON COSTS

The judgment of the tribunal is that the claimant Mr Diallo shall pay to the respondent costs in the sum of **£5,000**.

REASONS

- (1) The tribunal was informed at the costs hearing on 6 December 2019 that the respondent was not VAT registered. Leading counsel for the respondent informed the tribunal by email on 10 December 2019 that whilst he understood that to be the position for the interested party, he now understood that the respondent was registered for VAT.
- (2) Following the decision of the EAT in *Raggett v John Lewis plc 2012 IRLR 906* the costs are therefore not recoverable. The tribunal of its own initiative under Rule 70 of the Employment Tribunal Rules of Procedure 2013 reconsiders its costs judgment of 6 December 2019 so that the amount payable by claimant Mr Diallo to the respondent is the VAT exclusive sum of £5,000.

**Case Numbers: 2201364/2019
2201367/2019
2201370/2019**

Employment Judge Elliott

17 December 2019

Sent to the parties on:

20/12/2019

For the Tribunal:

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