



EMPLOYMENT TRIBUNALS (SCOTLAND)

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**Case Nos: S/4105198/16, S/4105199/16, S/4105200/16
(Multiple Case No 7959)**

Held in Glasgow on 3 December 2018 (Preliminary Hearing)

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Employment Judge: Ian McPherson

1. Mr Brian Aitken

1st Claimant

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**Represented by:
Mr Mark Allison -
Solicitor**

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2. Miss Courtney Aitken

2nd Claimant

**Represented by:
Mr Mark Allison -
Solicitor**

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3. Mrs Elizabeth Aitken

3rd Claimant

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**Represented by:
Mr Mark Allison -
Solicitor**

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K7X Ltd

**Respondents
Represented by:
Mr Ian S Meth -
Consultant**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The reserved Judgment of the Employment Tribunal is as follows: -

- 5 (1) Having heard parties' representatives on the respondents' opposed application for Strike Out of the claims, under **Rule 37(1)(a) of the Employment Tribunal Rules of Procedure 2013**, as having no reasonable prospect of success, the Tribunal has **refused** that application as not well-founded, and **allows** the claims and response to be listed for a Final
10 Hearing for full disposal, including remedy if appropriate, on dates to be hereinafter assigned by the Tribunal, in the listing period of **April, May or June 2019**, further to receipt of completed date listing stencils from parties' representatives, those stencils being issued by the clerk to the Tribunal, along with this Judgment.
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- (2) Further, having heard parties' representatives on the respondents' opposed alternative application for Deposit Orders to be made against each of the claimants, in terms of **Rule 39**, on the basis that the claims have little reasonable prospect of success, the Tribunal has **granted** the applications
20 for Deposit Orders to be made against each of the claimants in the amount of **ONE HUNDRED POUNDS (£100.00)**, for payment to HM Courts & Tribunals, **within 21 days of issue of the separate Deposit Orders signed by the Judge**, and issued by the clerk to the Tribunal, along with this Judgment.
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- (3) In respect of the Final Hearing to follow, and for the efficient and effective conduct of that Final Hearing, in exercise of the general powers to manage proceedings, as conferred by **Rule 29 of the Employment Tribunal Rules of Procedure 2013**, I have signed a separate written Note and Orders of
30 the Tribunal, as issued by the clerk to the Tribunal, along with this Judgment.

- (4) Written Reasons for this reserved Judgment of the Tribunal are reserved, and they will be issued in writing, at a later date, in terms of **Rule 62 of the Employment Tribunals Rules of Procedure 2013.**

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Employment Judge: Ian McPherson
Date of Judgment: 15 January 2019
Entered in register: 16 January 2019
and copied to parties

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