



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4104636/2020 & others per attached schedule**

**Employment Judge I McPherson**

**Mr J Smeaton**

**Claimant**

**(and 33 others per attached schedule)**

**Marmac Services Limited**

**Respondent**

## **JUDGMENT**

The claims are struck out under rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 on the grounds that the claims have not been actively pursued in terms of rule 37(1)(d).

# REASONS

1. On 16 June 2021 the claimant's representative informed the Tribunal that an agreement had been reached between the respondent and the claimants, payment would be forthcoming, and the claims could subsequently be dismissed. The claimant's representative stated they would confirm the same within fourteen days. No confirmation was provided.
2. On 7 July 2021, the Tribunal asked the claimant's representative to provide, within fourteen days, an update on the current position of the claims. No reply was received.
3. On 3 December, the Tribunal issued a reminder to the claimant's representative to provide an update on whether the claims should be dismissed following payment. No reply was received.
4. On 3 February 2022 the Tribunal gave the claimant an opportunity to give written reasons by 17 February 2022 or to request a hearing in order to consider why the claims should not be struck out.
5. The claimant has failed to give an acceptable reason why such a judgment should not be made or to request a hearing. The Tribunal therefore strikes out the claims.

**Employment Judge: I McPherson**  
**Date of Judgment: 23 February 2022**  
**Entered in register: 24 February 2022**  
**and copied to parties**

## Multiple Schedule

Multiple: 9502 - Marmac Services Limited

Case Number	Case Name
4104636/2020	Mr John Smeaton -v- Marmac Services Limited
4104637/2020	Mr Gary Sellar -v- Marmac Services Limited
4104638/2020	Mr Adam Smeaton -v- Marmac Services Limited
4104639/2020	Miss Gail Mabon -v- Marmac Services Limited
4104640/2020	Mr Graham Mellon -v- Marmac Services Limited
4104641/2020	Mr William Gilmer -v- Marmac Services Limited
4104642/2020	Mr Scott Anderson -v- Marmac Services Limited
4104643/2020	Mr Caolan O'Reilly -v- Marmac Services Limited
4104644/2020	Mr Raymond Adams -v- Marmac Services Limited
4104645/2020	Mr David Baillie -v- Marmac Services Limited
4104646/2020	Mr Kieran Connelly -v- Marmac Services Limited
4104647/2020	Mr Jacob Eaton -v- Marmac Services Limited
4104648/2020	Mr Neil Horsburgh -v- Marmac Services Limited
4104649/2020	Mr Philip Alphonse -v- Marmac Services Limited
4104650/2020	Mr Steven Conner -v- Marmac Services Limited
4104651/2020	Mr Robert Watt -v- Marmac Services Limited
4104652/2020	Mr Stephen Callaghan -v- Marmac Services Limited
4104653/2020	Mr Jim Murray -v- Marmac Services Limited
4104654/2020	Mr Gareth Thomas -v- Marmac Services Limited
4104655/2020	Mr David Baillie -v- Marmac Services Limited
4104656/2020	Mr Alexander ` Hart -v- Marmac Services Limited
4104657/2020	Mr Shaun Docherty -v- Marmac Services Limited
4104658/2020	Mr Stephen Moss -v- Marmac Services Limited
4104659/2020	Mr Mark Watson -v- Marmac Services Limited
4104660/2020	Mr Andy Pyott -v- Marmac Services Limited
4104661/2020	Mr Christopher McCall -v- Marmac Services Limited
4104662/2020	Mrs Amy McCall -v- Marmac Services Limited
4104663/2020	Ms Elizabeth Lofnes -v- Marmac Services Limited
4104664/2020	Mr Ross Dunn -v- Marmac Services Limited
4104665/2020	Mr Brian Lofnes -v- Marmac Services Limited
4104666/2020	Mr Michael McArdle -v- Marmac Services Limited
4104667/2020	Mr Thomas Johnston -v- Marmac Services Limited
4104679/2020	Mr Steven Hotchkiss -v- Marmac Services Limited
4104680/2020	Mr Jeff Benedetti -v- Marmac Services Limited