



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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**Case No: 3312611/2022 (V)**

**Final Hearing held at Glasgow ET on 29-30 August 2023**

**Employment Judge Tinnion**

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**Mr. Robert Scott**

**Claimant**

**Represented by**

**Ms. E. Christie, Partner**

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**Advantage Marketing Corporation Ltd.**

**Respondent**

**Represented by**

**Mr. T. Merck, Counsel**

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**JUDGMENT**

1. The Claimant's claim for a redundancy payment is dismissed on withdrawal under Rule 52.
2. The Respondent's application to strike out under Rule 37(1)(e) the Claimant's unfair dismissal claim under ss.94-98 of the Employment Rights Act 1996 on the basis that it is no longer possible to have a fair hearing of that claim is dismissed.
3. The Respondent's application to strike out the Claimant's breach of contract (wrongful dismissal/notice pay) claim under Rule 37(1)(e) on the basis that it is no longer possible to have a fair hearing of that claim is granted.
4. The Claimant's breach of contract (wrongful dismissal/notice pay) claim is struck out under Rule 37(1)(e).

**NOTE**

1. Judgments and reasons for the judgments are published online after a copy has been sent to the claimant(s) and respondent(s) in a case.
  
- 5 2. Reasons for the decisions above having been given orally at the hearing on 29 August 2023, written reasons will not be provided unless a request is made by either party at the hearing or within 14 days of the sending of the written record of the decision. If no such request is received, the Tribunal will provide written reasons for the decision only if requested to do so by the Employment Appeal  
10 Tribunal or a court.

**Employment Judge: A Tinnion**  
**Date of Judgment: 30 August 2023**  
**Entered in register: 31 August 2023**  
15 **and copied to parties**