



# THE EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Miss Bably Ony**

**v**

**Makeup Specialists Limited**

London Central Employment Tribunal

## JUDGMENT

1. **The Response is struck out under rule 37(1)(b) of the Rules of Procedure on the grounds of non-compliance with an order of the Tribunal.**
2. **The hearing commencing on 11 September 2023 will proceed. Pursuant rules 37(3) and 21(3), the Respondent shall only be entitled to participate in the hearing to the extent permitted by the Tribunal.**

## REASONS

1. Case management orders were made at a preliminary hearing on 31 March 2023, including orders for disclosure of documents, preparation of a bundle of documents for the hearing, and exchange of witness statements.
2. The Respondent has failed to comply with those orders. On 15 August 2023 a letter was sent to the Respondent stating that Employment Judge Nash was considering striking out the Response because the Respondent had not complied with the Order of the Tribunal dated 31 March 2023, and asking for any objection to this proposal, or request for a hearing, to be sent by 25 August 2023.
3. No reply has been received from the Respondent. The Response is therefore struck out. The claim will be heard on 11 September 2023 as previously notified to the parties, and the Claimant should attend on that date. The Respondent shall only be entitled to participate in the hearing to the extent permitted by the Tribunal.

Employment Judge Glennie

Dated: .....7 September 2023.....

Judgment sent to the parties on:

07/09/2023

For the Tribunal Office