



EMPLOYMENT TRIBUNALS

Claimant: Ms Sadi Khan

Respondent: (1) Lucas Film Limited
(2) Blue Stockings (UK) Limited
(3) The Walt Disney Company Limited

Heard at: Reading **On: 18 January 2024**

Before: Employment Judge Gumbiti-Zimuto

Appearances

For the Claimant: In person
For the Respondent: Ms K Taunton, counsel

JUDGMENT

1. The correct name of the second respondent is Blue Stockings (UK) Limited, and the title of the proceeding is amended accordingly.
2. The claimant's claims against the first respondent Lucas Film Limited and the third respondent The Walt Disney Company Limited are struck out pursuant to rule 37 (1)(a) of the Employment Tribunal Rules of procedure, the claims have no reasonable prospect of success.

REASONS

1. The respondents contend that the claimant has not articulated a coherent legal basis for a claim against Lucas Film Limited or The Walt Disney Company Limited.
2. The parties agree that the claimant had a contract with the Blue Stockings (UK) Limited: it is in issue whether the claimant was an employee or a worker. The claimant contended that the first and third respondents should be parties in the proceedings because, in the case of the first

respondent it is a holding company which owns the second respondent: and in the case of the third respondent the claimant answered to its employees (referred to by the claimant as the Disney bosses) and in her work was required to implement the third respondent's rules on health and safety matters. The claimant in her submissions made reference to the first and third respondents being "agents" or "principals" for Blue Stockings Limited but did not set out a basis which permits a potential finding that there was between Blue Stockings Limited and the first or third respondents, in respect of the claimant's employment, a basis for concluding an agent/principal relationship.

3. For the purposes of the claims of automatically unfair dismissal and wrongful dismissal, the correct respondent would be the claimant's employer i.e. the entity with whom the claimant had a contract of employment. For the purposes of the claims under sections 44(1) and 47B(1) Employment Rights Act 1996 (ERA), the claimant may bring a claim against the 'employer' for whom she is a 'worker'. That entity is Blue Stockings Limited.
4. For the purposes of the direct discrimination, victimisation and harassment claims under section 39 Equality Act 2010 (EqA), the claimant may claim against her 'employer' (i.e. Blue Stockings Limited). Insofar as the claimant makes complaints regarding the conduct of individuals, liability for their actions can only attach to Blue Stockings Limited insofar as the individual was an employee or agent of Blue Stockings Limited.
5. For the purposes of the equal pay claim, the respondent is Blue Stockings Limited.
6. The Claim Form named the first respondent as 'Lucas Film Ltd'. The correct name of the first respondent is 'Lucasfilm Ltd. LLC', a company incorporated in the USA which has no UK address. Lucasfilm Ltd. LLC did not employ or engage the claimant in any capacity. The Tribunal does not have jurisdiction over Lucasfilm Ltd. LLC who does not submit the Tribunal's jurisdiction. The claimant applies to pursue claims against a UK-based company called 'LFL Productions Limited'. The claimant does not articulate a legal basis for liability on the part of LFL Productions Limited (which is not named on her engagement documents, nor did it employ or engage any of the individuals who the claimant identifies in her complaints) under the legislation under which she brings her claims.
7. The claimant alleges that employees of the third respondent took or failed to take actions about which she complains of in these proceedings. The claimant however does not explain a basis for liability in respect of the third respondent.
8. The claimant's complaints against the first respondent (or LFL Productions Limited) and third respondent have no reasonable prospect of success because the claimant does not set out a basis on which she is entitled to

make a claim against these respondents based on the legislation upon which she relies in this case.

Employment Judge Gumbiti-Zimuto

Date: 22 January 2024

Sent to the parties on: 12/02/2024

For the Tribunals Office

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