

**Case Numbers:** 3307756/2020, 3307747/2020, 3307761/2020 & 3307786/2020



# EMPLOYMENT TRIBUNALS

## Claimants

## Respondent

Mr E Donkor  
Mr G Evelyn  
Ms L Iosif  
Ms G Stojkova

v

DDD Limited (in Administration)

**Heard at:** Watford, by video

**On:** 7 June 2024

**Before:** Employment Judge Hyams, sitting alone

### Appearance or representation:

**For the claimants:**

Not present and not represented

**For the first respondent:**

Mr Pav Clair, solicitor

## JUDGMENT

The claimants' claims made in the above case numbers (which apply respectively to the claimants to whose claims this judgment relates) are dismissed.

## REASONS

1. The four claims which are dismissed in the above judgment were included in the claims which were the subject of a reserved judgment (signed by me on 3 February 2023) of a tribunal consisting of me, Employment Judge Hyams, Ms G Binks and Mr P Maclean. The lead claimant whose name appeared on that judgment was Ms A Apter and the case numbers to which the judgment related were 3307668-2020-3307808-2020. In that reserved judgment, all of the claims against the then second respondent, which was Dendron Brands Limited, were dismissed.

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2. A preliminary hearing was then listed to take place before me by video on 7 June 2024. At it, Ms Apter and Mr P Monk, who were the lead claimants, appeared. They represented all of the claimants apart from seven who were pursuing their claims, and five who appeared not to be pursuing their claims. One of the latter five claimants appeared and told me orally that he was withdrawing his claim. The other four (that is, those to whose claims the above judgment relates) did not appear. One of the seven claimants who were pursuing their claims but who were not represented by Ms Apter and Mr Monk appeared. That was Ms N Hampf.
3. The four claimants to whose claims the above judgment relates were, I was satisfied, informed in advance of the hearing that the hearing of 7 June 2024 was going to take place. That was done at the latest when, as Ms Apter told me on 7 June 2024, she, Ms Apter, sent those claimants on 6 June 2024 a copy of the link to the video hearing room. It appeared (but it was not clear to me from the documents before me) that the tribunal had written to the four claimants to whose claims the above judgment relates, giving notice of the hearing of today. However, those claimants had all been written to in the first months of 2024 with meticulous care by Shoosmiths, the firm of solicitors who were instructed by the administrators of the only remaining respondent. That was clear from the documents in the hearing bundle put before me by Mr Clair during the hearing. As stated above, Mr Clair, of Shoosmiths, appeared on behalf of the respondent. Ms Stojkova on 1 February 2024 had signed (digitally) a statement saying that she was withdrawing her claims against the respondent. That statement was at page 102 of the pdf hearing bundle.
4. The three other claimants to whose claims the above judgment relates had not responded to the correspondence sent by Shoosmiths in connection with their claims to which I refer in the preceding paragraph above, and it appeared to me that they were not pursuing their claims against the respondent.
5. In the circumstances, rule 47 of the Employment Tribunals Rules of Procedure 2013 (“the 2013 Rules”) applied. That provides:

“If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party’s absence.”
6. I decided to proceed with the hearing in the absence of the four claimants to claims the above judgment relates. I also concluded that in the above circumstances, it was appropriate to dismiss those claims on the basis that it was clear to me that the claimants were not pursuing their claims.
7. If any of the claimants whose claims are dismissed by reason of the above judgment had a genuinely good reason for not attending (whether in person or

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by a representative) the hearing of 7 June 2024, then that claimant can apply for a reconsideration of my above judgment within 14 days of the date when it (i.e. this document) was sent to the parties, but he or she will need to put before me cogent evidence to show why he or she did not attend the hearing, in order to persuade me that the interests of justice might require the revocation of my above judgment.

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Employment Judge Hyams

Date: 7 June 2024

JUDGMENT SENT TO THE PARTIES ON

26 June 2024

FOR THE TRIBUNAL OFFICE