



EMPLOYMENT TRIBUNALS

Claimant: Ms J Capistrano

Respondent: JD Wetherspoon

JUDGMENT

1. The claim is struck out under Rules 37 (1) (c) and (d) of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 (the Rules) as the Claimant has consistently failed to comply with the orders of the tribunal and has not actively pursued her claim.
2. This has included a repeated failure to provide her witness statement despite repeated warnings culminating in a letter from the Tribunal dated 28 October 2024 ordering her to confirm by 4 PM on 29 October 2024 whether she has now exchanged her witness statements in accordance with the directions given by Employment Judge E Burns as set out in the Tribunal's letter dated 17 October 2024. The Claimant was advised that a failure to provide her witness statement without good reason would result in her claim being struck out as forewarned by Employment Judge Burns in the Tribunal's letter dated 17 October 2024. The Claimant did not respond. Given that a seven-day hearing commences next week it is appropriate that the claim is struck out.

Employment Judge Nicolle

Dated 30 October 2024

JUDGMENT SENT TO THE PARTIES ON

30 October 2024

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FOR THE TRIBUNAL OFFICE