



EMPLOYMENT TRIBUNALS

Claimant: Mr W Russell

Respondent: UK Direct Business Solutions Ltd

JUDGMENT

The following claims are struck out under Rule 40(4) of the Employment Tribunal Procedure Rules 2024 due to non payment of a deposit order

That the respondent directly discriminated against the claimant because of sexual orientation in the following ways:

a. LFT1 - The claimant was suspended. Ben Murphy and Michael Birch were not suspended. Mr Murphy was responsible for getting the relevant information and verifying it. Mr Birch had the same commission structure as the claimant had.

b. LFT2 - The claimant was dismissed. Mr Murphy and Mr Birch were not dismissed.

c. LFT4 - The respondent sent the claimant a letter before action about alleged breaches of restrictive covenants. Ben Murphy did not receive such a letter.

d. LFT5 - The respondent sought to claw back approximately £20,000 of commission from the claimant. It did not make such an attempt for Mr Birch or Mr Murphy

The claimant's remaining claim(s) remains listed for hearing on 29th September 2025 – 3rd October 2025.

REASONS

1. The deposit orders having not been paid, it follows that the above claims have been struck out by automatic operation of law.
2. Employment Judge Anderson is aware of the Claimant's correspondence of

the 7th May 2025 in which he states that the orders went into his junk folder and he has not asked for an extension.

3. Rule 40(4) of the Employment Tribunal Rules of Procedure 2024 provide:

40 (4) If the depositor fails to pay the deposit by the date specified by the deposit order, the Tribunal must strike out the specific allegation or argument to which the deposit order relates.

4. The strike out occurs due to the automatic operation of law. The wording in the rules is 'must', i.e. mandatory language. The orders were served, and no application has been made for an extension of time.

Employment Judge Anderson

22nd May 2025

JUDGMENT SENT TO THE PARTIES ON

27th June 2025

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FOR THE TRIBUNAL OFFICE