



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Vassallo

**Respondent:** 1. JM Specialist Services Limited,  
2. Active Air Engineering Limited

## RECORD OF A PRELIMINARY HEARING

**Heard at:** Watford (in private)

**On:** 17 August 2026

**Before:** Employment Judge Skehan on papers

## JUDGMENT

1. The claimant's claim is struck out in its entirety under the provisions of Rule 38 of the Employment Tribunal Rules because it has not been actively pursued by the claimant. It is not possible for a fair trial to be heard in this matter.

## REASONS

2. A case management hearing was held on 11 May 2026. There was no attendance by or on behalf of the claimant. At my request, the Tribunal clerk sought to make contact with the claimant prior to the commencement of the hearing however no response was received. An email was also sent to the claimant. It appeared at the hearing that the claimant was not actively pursuing this litigation.
3. By letter sent to the parties on 19 May 2026 the claimant was directed, 'The claimant **must** within **14 days of receipt of this letter** write to the respondent and the Employment Tribunal by email explaining his lack of attendance at today's hearing and acknowledging that he wishes to pursue this litigation. It is expected that the claimant will also have provided the schedule of loss within the required time period referenced below to demonstrate that he is actively pursuing this matter.'

4. There was no response from the claimant to this direction. I conclude that the claimant is not actively pursuing this litigation and it is struck out under Employment Tribunal Rule 38

Approved by:

EJ Skehan  
17 August 2026

Sent to the parties on:  
1 September 2026

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For the Tribunal Office:

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