

London South Employment Tribunal  
Montague Court  
101 London Road  
West Croydon  
CR0 2RF

*Our ref* JBB/91369/4  
*Your ref*  
*Date* 15 March 2011  
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**By Email Only: [LondonSouthET@Tribunals.gsi.gov.uk](mailto:LondonSouthET@Tribunals.gsi.gov.uk)**

Dear Sirs

**Ms A A Vaughan -v- Careers Enterprise Limited & Others**  
**Case Numbers: 2318353/2010, 2330171/2010 and 2300254/2011**

We are writing in connection with the PHR and the CMD which has been listed in relation to the above claims on 14 and 15 April 2011.

In accordance with Rule 11 of the Employment Tribunals Rules of Procedure, we are writing to request an order that the Claimant's claims be struck out. We are applying for the claims to be struck out on the grounds that the manner in which the proceedings have been conducted by the Claimant has been scandalous, unreasonable or vexatious (Rule 18(7)(c) of the Employment Tribunals Rules of Procedure). We would ask that this application is considered at the hearing listed on 14 and 15 April 2011.

Prior to the previous PHR and CMD which took place on 4 November 2010 we were asked to confirm whether we intended to make a strike out application (we refer to the Tribunal's Notice of Pre-Hearing Review dated 14 October 2010). We decided at that time not to make such an application, as we were keen to avoid yet another application being made in these proceedings, and wanted instead to concentrate on bringing the cases to a full hearing. However, what we believe to be unreasonable and vexatious behaviour by the Claimant has continued, as outlined below, and we now wish to make a strike out application.

Throughout the Tribunal process, we have been concerned regarding the amount of applications being made by the Claimant and the amount of correspondence this has generated. In 2010, the Claimant made two claims against the Respondents (claim number 2318353/2010, totalling 52 pages and claim number 2330171/2010, totalling 60 pages). The Claimant has recently made a third disability discrimination claim (claim number 2300254/2011, totalling 41 pages) against the Respondents in relation to their actions in assisting and supporting the Claimant's return to work. These actions (which included requiring the Claimant to attend an occupational health assessment) were entirely reasonable given the length of time the Claimant had been off work and the reasons for her absence. This third claim was also accompanied by an Equality Act 2010 questionnaire which contained 61 detailed questions. Throughout the Tribunal process, the Claimant has also made numerous applications to the Employment Tribunal. We believe that the Claimant is using the Tribunal process as a method of exerting unreasonable pressure on the Respondents in relation to her working environment.

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We believe that the way in which the proceedings are being conducted by the Claimant is unreasonable and/or vexatious and that a fair trial is no longer possible in this case. We believe that striking out the Claimant's claims is the appropriate remedy in this case.

In addition, whether or not the Claimant's claims are struck out as requested, we wish to apply for a costs order to be made against the Claimant under Rules 40(2) and 40(3) of the Employment Tribunals Rules of Procedure on the grounds that the Claimant, in bringing and/or conducting proceedings, has acted vexatiously, abusively, disruptively or otherwise unreasonably. We request that the Tribunal exercises its discretion to make a costs order in this case.

We consider that the above orders would assist the Tribunal to deal with the proceedings efficiently, fairly and in accordance with the overriding objective. As stated above, we respectively suggest that these applications are dealt with at the PHR listed for 14 and 15 April 2011.

We can confirm that we have sent a copy of this letter to the Claimant and we have complied with Rule 11(4) of the Employment Tribunals Rules of Procedure.

Yours faithfully



**Paris Smith LLP**

c.c. Ms A A Vaughan (by email only)