



EMPLOYMENT TRIBUNAL  
England and Wales  
London Central Region

Claimant: Mr M Ktenas  
First Respondent: Quilter PLC  
Second Respondent: Quilter Financial Planning Ltd  
Before: Employment Judge Mr J Burns  
Representation  
Claimant: in person  
Respondent: Mr D Fawcett (Solicitor)

JUDGMENT

The claims are dismissed against both Respondents on withdrawal by the Claimant.

NOTE

During a telephone hearing today the Claimant confirmed that he was paid and had his employment contract with R2 and he accepted that he was not employed and had no claim against R1, and that the claim against R1 would have to be withdrawn in any event.

He also explained that he had an EC certificate with R2's name on it predating the issuing of these proceedings.

Insofar as the claim against R2 was concerned I explained to the Claimant that

- (i) per Coors Brewers v Adcock 2007 IRLR 440 CA a wages claim under section 13 Employment Rights Act 1996 can only be brought in respect of an identifiable sum – ie straightforward claims where the employee can point to a quantified loss – and that it was insufficient for the sum to be capable of being quantified by the tribunal – (ie a wages claim must be for a debt and not for damages);
- (ii) that (per the ET's Extension of Jurisdiction (E and W) Order 1994 regulation 3), a contract claim in the ET could only be brought on a claim which arises or was due on the termination of employment;
- (iii) that for these reasons and based on the ET1 and on what the Claimant told me during our discussion, the claim had little reasonable prospect of success and
- (iv) I was contemplating ordering the Claimant to pay a deposit as a condition of the matter being permitted to proceed to a final hearing, and that he would have 21 days to decide whether or not to pay any deposit I ordered.

In response the Claimant confirmed that he did not want to waste time and generate extra work by my making a deposit order and he wished to withdraw his claims on the basis confirmed by Mr Fawcett that no costs would be pursued against him.

Mr J S Burns Employment Judge  
London Central  
11/9/2020  
For Secretary of the Tribunals

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date sent to the Parties – 11/09/2020