

**DISPUTES RESOLUTION AUTHORITY**

**Record No. 25/2005**

**Between:-**

**JOHN McKENNA  
(ionadaí ar son Cumann Peil Clanna Gael Fontenoy)**

**Claimant**

**-and-**

**SEÁN MACTHAIDHG (ionadaí ar son An Lár Choiste Achcomhairle CLG) and  
SEAMUS HOWLIN (ionadaí ar son Coiste Bórd Luimnigh CLG)**

**RespondentS**

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**DECISION ON COSTS AND EXPENSES**

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1. This is a decision as to the costs and expenses of a Claim before the Disputes Resolution Authority, in the circumstances set out as follows:
  - 10/11/05 The Claimant issued a Claim in the prescribed form.
  - 3/12/05 A preliminary meeting was held at which both parties attended. Various directions (none relevant to this decision) were made.
  - 8/12/05 The Claimant formally withdrew claim. It was not stated whether this was on foot of any agreement with the Respondents but if it was, no terms thereof were disclosed to the Tribunal.
  - 13/12/05 The Secretary of the Disputes Resolution Authority wrote to the parties seeking consent to deal with costs/expenses in writing
  - 14/12/05 Claimant replied confirming consent
  - 16/12/05 Respondent replied and (i) made no application for legal costs (ii) submitted that Claimant should be responsible for expenses of DRA.
2. A further request for submissions was made but the parties did not advance any further arguments on the matter.
3. On the basis of the foregoing, in the course of correspondence terminating on 11 April 2006, which is the formal date of this decision, the Tribunal has decided that:
  - No award of legal costs will be made, and
  - The Claimant alone should be required to pay the expenses of the Tribunal.

Signed on behalf of the Tribunal (Elizabeth Burke, Frank Kenny, Micheál O'Connell) on 28 April 2006

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Micheál O'Connell  
Chairman