



FIRST-TIER TRIBUNAL

SOCIAL ENTITLEMENT CHAMBER

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| Appellant: [REDACTED] | Tribunal Ref [REDACTED] NINO [REDACTED] |
| Respondent: Secretary of State for Work and Pensions | |

DIRECTIONS NOTICE

1. The Respondent has served notice in relation to this appeal under section 26 of the Social Security Act 1998 requiring the tribunal either (a) to stay this appeal pending the outcome of a proposed challenge in the Court of Appeal to the decision of the Upper Tribunal IM v Secretary of State for Work and Pensions (ESA) [2014] UKUT 0412 (AAC) or (b) to determine the appeal in accordance with sub-section 26 (4) (b) of the Act.

2. It is neither practicable nor in the interests of justice to decide which of those courses of action is correct until a tribunal has investigated the merits of this appeal in detail.

3. Accordingly, the tribunal direct that this appeal be listed before a District Tribunal Judge for oral hearing or determination on the papers (depending on the wishes of the parties) for one slot. The tribunal charged with determining the appeal will be required as part of its determination to decide whether course (a) or course (b) is to be followed.

A party is entitled to challenge any direction given by applying for another direction which amends, suspends or sets aside the first direction.

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| Signed: [Signature] Tribunal Judge | Date: 5/12/14 |
| Issued to the parties on: 15/12/14 | |