



UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES

Judgment No. 2023-UNAT-1407

Lars Ronved
(Appellant)

v.

Secretary-General of the United Nations
(Respondent)

JUDGMENT

Before:	Judge Gao Xiaoli, Presiding Judge Kanwaldeep Sandhu Judge Nassib G. Ziadé
Case No.:	2023-1774
Date of Decision:	27 October 2023
Date of Publication:	21 December 2023
Registrar:	Juliet E. Johnson

Counsel for Appellant: Self-represented

Counsel for Respondent: Francisca Lagos Pola

JUDGE GAO XIAOLI, PRESIDING.

1. Lars Ronved (the Appellant), a Human Resources Officer with the United Nations Support Office in Somalia (UNSOS), contested before the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) the decisions to (i) grant them a special post allowance (SPA) instead of a temporary promotion to P-4; and (ii) find them ineligible to apply for Job Opening (JO) 178301 (P-5) (contested decisions). By Judgment No. UNDT/2022/123 dated 14 November 2022, the UNDT dismissed the application (impugned Judgment).
2. The Appellant has filed an appeal before the United Nations Appeals Tribunal (UNAT or Appeals Tribunal).
3. For the reasons that follow, we dismiss the appeal and affirm the impugned Judgment.

Facts and Procedure

4. The Appellant serves as a Human Resources Officer with UNSOS. At the time they applied for JO 178301, they held a P-3 position.
5. On 24 March 2020, the Appellant was selected for the temporary position of Human Resources Officer at the P-4 level against Temporary Job Opening (TJO) 131330. The Appellant assumed the functions of the post effective 1 April 2020 through 30 January 2021 and was informed of the conditions for eligibility for SPA. A request for SPA for their temporary assignment at the higher P-4 level was made on the Appellant's behalf by the Chief of Human Resources (CHR). The SPA was granted effective 1 July 2020 pursuant to Section 6.3 of Administrative Instruction ST/AI/2003/3 (Special post allowance for field mission staff).
6. The Appellant's temporary assignment and SPA were subsequently extended until 31 May 2021. According to the Respondent, the Appellant had a short break from their service at the P-4 post upon return of the incumbent to UNSOS but resumed the functions on 28 June 2021.
7. In March 2022, the UNSOS Human Resources Section recommended the extension of the Appellant's SPA retroactively from 1 June 2021 through 30 June 2022. The Appellant was informed that the extension would be reflected in their May 2022 salary.

8. Between 20 April and 19 May 2022, UNSOS advertised a P-5 Senior Logistics Officer position under JO 178301. The Appellant applied and subsequently learned that their application was rejected, and that they would not be further considered.

9. On 12 May 2022, a Personnel Action (PA) form was issued retroactively extending the Appellant's temporary assignment and SPA from 1 June 2021 to 30 June 2022.

10. On 22 May 2022, the Appellant requested management evaluation challenging the contested decisions. In a response dated 1 July 2022, the Management Evaluation Unit (MEU) found the Appellant's request for management evaluation not receivable on grounds that the challenge against the SPA decision was time-barred and that there was no administrative decision with respect to the Appellant's ineligibility for JO 178301.

11. On 21 August 2022, the Appellant filed an application with the UNDT challenging the contested decisions to grant them an SPA instead of a temporary promotion and to find them ineligible to apply for JO 178301.

12. Effective 1 September 2022, the Appellant was promoted to P-4, Human Resources Officer.

13. On 14 November 2022, the UNDT issued Judgment No. UNDT/2022/123. The UNDT dismissed the application as not receivable *ratione materiae* to the extent that it challenged the decision not to grant the Appellant a temporary promotion. The UNDT found that the question of a temporary promotion had never been contemplated or raised, and as such, the application was not receivable *ratione materiae* for lack of an administrative decision. The UNDT found that alternatively, accepting *arguendo* that the extension of the Appellant's assignment was an implied refusal of a temporary promotion, it was not receivable for the lack of a timely request for management evaluation. The UNDT found that while the extension of the SPA was a new administrative decision, which, in principle, did activate afresh the deadlines to appeal it, the Appellant would be lacking legitimacy to complain against being granted an SPA, which decision accords with their presumed interest.

14. To the extent that the Appellant's grievance was directed against the fact that they had not been granted a temporary promotion, the UNDT noted that they had become aware of this decision at the latest in March 2020, when they had been selected for the position and not issued a new appointment. The UNDT concluded that this legal regime continued through subsequent extensions of the assignment, and the 2022 retroactive extension of the SPA was

only a corollary to the extension of the assignment and did not create a new legal situation for the Appellant's appointment.

15. Turning to the Appellant's eligibility for JO 178301, the UNDT found that the Appellant's application was receivable in that regard, since there had been a decision to eliminate them from the selection exercise and this decision had been timely challenged. On the merits, the UNDT noted that in order to establish whether there was an irregularity in retaining the Appellant at the P-3 level and thus precluding them from competing for JO 178301, it needed to examine incidentally the question of not granting a temporary promotion.

16. The UNDT held that the Appellant was not eligible pursuant to Section 6.1 of Administrative Instruction ST/AI/2010/3 (Staff selection system), considering that their grade was P-3 when applying for the P-5 position. The UNDT dismissed the Appellant's contention that the regime of a temporary assignment at a higher level contradicted Staff Rule 3.10(b),¹ even where the assignment was preceded by a selection exercise, because its finite duration and a simplified recruitment process justified a different treatment and was not improperly discriminatory. Furthermore, relying on *Elmi*,² the UNDT found that there was no violation of the principle of equal pay for equal work. The UNDT therefore dismissed the application.

17. On 12 January 2023, the Appellant appealed the impugned Judgment, and the Secretary-General filed his answer on 24 March 2023.

Submissions

The Appellant's Appeal

18. The Appellant submits that the UNDT erred in fact leading to a manifestly unreasonable decision when determining that in relation to the placement on a SPA in lieu of a temporary promotion, their application was not receivable *ratione materiae* for lack of an administrative decision. The finding that the "question of a temporary promotion had never been contemplated for any contender among Secretariat staff members" is clearly incorrect. According to Section 6.5 of ST/AI/2010/3 which was in effect at the time of the decision,

[a] staff member holding a permanent, continuing, probationary or fixed-term appointment (with no appointment limitation) assigned from a headquarters location, including regional

¹ ST/SGB/2018/1 (Staff Regulations and Rules of the United Nations), applicable at the time.

² *Elmi v. Secretary-General of the United Nations*, Judgment No. 2016-UNAT-704.

commissions, to a position one level higher than his/her current grade in a peacekeeping operation or special political mission, where a lien is maintained against a position at the parent duty station, may temporarily be promoted to the level of the position in the peacekeeping operation or special political mission for the duration of the assignment.

19. The Appellant further avers that the UNDT similarly made an error in both law and fact when concluding that the application was not receivable for lack of a timely management evaluation request. They submit that a staff member does not have to suffer several extensions of a wrong *ad infinitum*, simply because the original decision was not challenged. The case at bar clearly concerns a new decision based on new facts and is not simply a corollary to the original decision. The Appellant's application was thus receivable.

20. The Appellant submits that Staff Rule 3.10 is clearly framed as an exception. This is evident from Staff Rule 3.10(b)³ which explicitly states that promotion is the normal means of recognizing increased responsibilities. It is further supported by requiring that SPA only be granted in "exceptional cases". When interpreting an exceptional rule, it must be read in a manner that cannot in any way be considered as expanding its effect outside what is clearly stipulated in the rule. When interpreting the phrase "who is called upon" of Staff Rule 3.10(b), it is clear that SPA may only be granted when the staff member is required or obliged to perform the higher-level duties. The Appellant was neither required or obliged, as they applied for a temporary vacancy at the higher level, and were selected following a full competitive process, after which they were offered the position. For that reason alone, it was illegal to place them on a SPA in lieu of giving them a temporary promotion. JO 131330 was clearly advertised as a vacancy at the P-4 level. Although it was stated in the JO that "[i]f the selected candidate is a staff member from the United Nations Secretariat, the selection will be administered as a temporary assignment", it was silent on the matter of SPA. The UNDT made an error in fact leading to a manifestly unreasonable decision when ignoring that the vacancy was advertised at the P-4 level, and not specifically mentioning that (some) internal candidates will not be promoted.

21. The Appellant avers that their case is clearly distinguishable from *Elmi* as that case fell squarely within Staff Rule 3.10, since Mr. Elmi was clearly called upon to take on the higher-level functions. Mr. Elmi's position was upwards reclassified, and the only option for him to avoid this obligation was to resign from his position entirely. No other staff member could be called upon for the function without a competitive process. Similarly, the entire justification for denying

³ See below, para. 41

Mr. Elmi's claim regarding equal pay for equal work does not apply to the present case and must be reexamined by the UNAT. Given that the granting of SPA in the case at bar violates Staff Rule 3.10 and the fact that an external candidate, if selected, would have received pay and pension at the P-4 level clearly constitutes a violation of that basic principle, the issue is not hypothetical to the same degree as in *Elmi*.

22. Finally, the Appellant submits that should the UNAT determine that the Appellant should be (temporarily) promoted to the P-4 level in lieu of being granted SPA, it would follow directly that the JO was one level above their current grade, and as such they must be found eligible.

23. The Appellant requests that the decision to grant them SPA in lieu of a temporary promotion be rescinded and that the UNAT order such promotion with effect from 1 June 2021 until their actual promotion to the same position effective 1 September 2022. They furthermore request rescission of the decision to find them ineligible for JO 178301, or alternatively, compensation for the loss of opportunity at the discretion of the UNAT. In the alternative, the Appellant asks that the case be remanded to the UNDT for a full consideration of the merits.

The Secretary-General's Answer

24. The Secretary-General submits that the UNDT's finding that the application was not receivable to the extent that it challenged the "decision" not to grant them a temporary promotion was correct. There was no such decision as the Appellant who was serving in UNSOS on a fixed-term appointment at the P-3 level was temporarily assigned and then requested SPA for serving at the P-4 level. Upon being selected for the P-4 TJO, they were temporarily assigned in accordance with Section 3.7 of Administrative Instruction ST/AI/2010/4/Rev.1 (Administration of temporary appointments). The Appellant was not and could not have been offered a temporary appointment or promotion. They were consequently temporarily assigned to the temporary position (so called temporary assignment) but maintained their fixed-term appointment and their grade level. Consequently, as there was no decision to not give the Appellant a temporary promotion, the UNDT correctly held that this part of the application was not receivable *ratione materiae* for lack of an administrative decision.

25. In addition, the UNDT correctly found that the application was not receivable to the extent that the Appellant challenged the decision to assign them to the temporary P-4 position, for the lack of a timely request for management evaluation. The Appellant should have been aware that they would be given a temporary assignment and would not receive a temporary promotion since

the date they applied for the temporary P-4 position on 10 February 2020. The JO for the temporary P-4 position had a special notice which indicated that “[i]f the selected candidate is a staff member from the United Nations Secretariat, the selection will be administered as a temporary assignment”. In addition, the Appellant was aware, on 24 March 2020 (at the latest), that they would be given a temporary assignment and would not receive a new appointment when they were selected to be placed on the P-4 temporary position. Since they challenged the temporary assignment on 22 May 2022 (more than two years late), the UNDT correctly found that the application contesting the decision granting them a temporary assignment was not receivable. The Appellant must also have been aware of this since they requested SPA to be renumerated at the P-4 level.

26. Turning to the UNDT’s finding that the Appellant’s non-eligibility for the P-5 position was lawful, the Secretary-General contends that this finding was in conformity with the legal framework and the jurisprudence. The selection process for the P-5 position was regulated by ST/AI/2010/3. Section 6.1 of ST/AI/2010/3 stipulates that staff members holding a fixed-term appointment shall not be eligible to apply for positions more than one level higher than their personal grade. At the time when the Appellant applied for the P-5 position, their personal grade level was P-3. While they were temporarily performing functions at the P-4 level and were granted SPA, they were not temporarily appointed to the P-4 level but rather remained on a fixed-term appointment at the P-3 level in accordance with Section 3.7 of ST/AI/2010/4/Rev.1. Hence, in accordance with Section 6.1 of ST/AI/2010/3, they were not eligible to apply to the P-5 position at the relevant time.

27. The Secretary-General requests the UNAT to affirm the impugned Judgment and to dismiss the appeal in its entirety.

Considerations

28. The issues to be considered in this case are: (i) whether the UNDT erred in finding the Appellant’s application not receivable *ratione materiae* in relation to the “decision” to grant them SPA instead of a temporary promotion; (ii) whether the UNDT erred in finding that not granting the Appellant a temporary promotion to the P-4 level was lawful; and (iii) whether the UNDT erred in finding that the decision not to find the Appellant eligible for the P-5 position was lawful.

Did the UNDT err in finding the Appellant's application not receivable ratione materiae in relation to the "decision" to grant them SPA instead of a temporary promotion?

29. The Appellant contested the decision to grant them SPA instead of a temporary promotion. Based on the document the Appellant submitted, we determine that they identified the contested decision being the retroactive extension of their SPA from 1 June 2021 to 30 June 2022, which they had been informed of on 26 April 2022.

30. Staff Rule 11.2 provides, in relevant part:

(a) A staff member wishing to formally contest an administrative decision alleging non-compliance with his or her contract of employment or terms of appointment, including all pertinent regulations and rules pursuant to staff regulation 11.1 (a), shall, as a first step, submit to the Secretary-General in writing a request for a management evaluation of the administrative decision.

...

(c) A request for a management evaluation shall not be receivable by the Secretary-General unless it is sent within 60 calendar days from the date on which the staff member received notification of the administrative decision to be contested. This deadline may be extended by the Secretary-General pending efforts for informal resolution conducted by the Office of the Ombudsman, under conditions specified by the Secretary-General.

...

31. "This Tribunal has repeatedly and consistently held that the time limit for requesting management evaluation against an administrative decision starts once a staff member has been notified of the decision in writing and in clear and unequivocal terms."⁴

32. On 22 May 2022, the Appellant requested management evaluation of the decision to retroactively extend their SPA from 1 June 2021 to 30 June 2022. The Appellant was informed of the decision on 26 April 2022. The request for management evaluation of the extension was within 60 calendar days from the date on which the Appellant received notification of the administrative decision to be contested.

⁴ *Mazen Quassem v. Secretary-General of the United Nations*, Judgment No. 2021-UNAT-1132, para. 23.

33. After the response of the MEU on 1 July 2022, the Appellant filed their application on 21 August 2022. It met the criteria under Article 8 of the UNDT Statute. Therefore, the application should be receivable.

34. Article 2(1)(a) of the UNDT Statute gives the Dispute Tribunal jurisdiction to hear and pass judgment on an application to appeal an administrative decision that is alleged to be in non-compliance with the terms of appointment or the contract of employment. The terms “contract” and “terms of appointment” include all pertinent Regulations and Rules and all relevant administrative issuances in force at the time of alleged non-compliance.⁵ When determining what is an “administrative decision”, the key characteristic “is that the decision must ‘produce ... direct legal consequences’ affecting a staff member’s terms and conditions of appointment”.⁶

35. The UNDT correctly found that “the extension of the SPA [was] a new administrative decision, which, in principle, [did] activate afresh the deadlines to appeal it”.⁷ However, the UNDT found that the Appellant “would be lacking legitimacy to complain against being granted an SPA, which decision accord[ed] with their presumed interest”.⁸ It then held that “accepting, *arguendo*, that the extension of the [Appellant’s] assignment was an implied refusal of a temporary promotion, it [was] not receivable for lack of a timely [request for] management evaluation”⁹ on the basis that “[t]he 2022 retroactive extension of the SPA [was] only a corollary to the extension of the [initial] assignment and [did] not create any new legal situation for the [Appellant’s] appointment”.¹⁰

36. We agree with the UNDT that the decision of retroactive extension of their SPA from 1 June 2021 to 30 June 2022 did produce direct legal consequences affecting the Appellant’s terms and conditions of appointment. We, however, disagree with the UNDT’s finding that “accepting *arguendo*, that the extension of the [Appellant’s] assignment was an implied refusal of a temporary promotion, it [was] not receivable for the lack of a timely [request for] management evaluation”.¹¹ The extension of the SPA was in effect an implied refusal to consider and grant a temporary promotion and therefore, the administrative decision for the extension and not granting

⁵ *Haydar v. Secretary-General of the United Nations*, Judgment No. 2018-UNAT-821, para. 13.

⁶ *Lee v. Secretary-General of the United Nations*, Judgment No. 2014-UNAT-481, para. 49, citing former Administrative Tribunal Judgment No. 1157, *Andronov* (2003), para. V. See also *Andati-Amwayi v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-058.

⁷ Impugned Judgment, para. 24.

⁸ *Ibid.*

⁹ *Ibid.*, para. 26.

¹⁰ *Ibid.*, para. 25.

¹¹ *Ibid.*, para. 24.

the promotion are two sides of the *same* decision, with the *same* applicable deadlines for requesting management evaluation. Therefore, the request for management evaluation for review of both decisions is receivable.

37. We agree with the UNDT that the Appellant's grievance does not pertain to the 2022 extension of the SPA, which was favorable to and requested by them, but is rather directed against the fact that the Appellant was not granted a temporary promotion in place of the SPA. The issue is then whether not granting a temporary promotion was a lawful administrative decision.

(ii) Did the UNDT err in finding that not granting the Appellant a temporary promotion to the P-4 level was lawful?

38. The Appellant's application to the extent that it challenged the decision not to grant them a temporary promotion is receivable. The UNDT erred in this regard. However, the UNDT incidentally found that not granting the Appellant a temporary promotion to the P-4 level was lawful on the merits. We agree with the outcome of the UNDT Judgment for the reasons that follow.

39. Firstly, TJO 131330 contained a special notice which explicitly indicated that "[i]f the selected candidate is a staff member from the United Nations Secretariat, the selection will be administered as a temporary assignment". At the time they applied for TJO 131330 on 10 February 2020, the Appellant, as a staff member from the United Nations Secretariat, was therefore on notice that, if selected, they would be given a temporary assignment, and not a temporary promotion.

40. Secondly, concerning the administration of temporary appointments, Section 3.7 of ST/AI/2010/4/Rev.1 provides:

The selected candidate shall be offered a temporary appointment unless he/she already holds another type of appointment, in which case the following rules apply:

(a) Candidates holding a permanent or continuing appointment will retain their permanent or continuing appointment and will be assigned to the position to be temporarily encumbered;

(b) Candidates holding a fixed-term appointment will retain their fixed-term appointment and will be assigned to the position to be temporarily encumbered for a period not exceeding the duration of their fixed-term appointment.

41. When the Appellant was selected on 24 March 2020, they should have been aware of the regime governed by ST/AI/2010/4/Rev.1. As a holder of a fixed-term appointment, the

Appellant should have known that they could not be offered a temporary promotion. Section 6.5 of ST/AI/2010/3 mentioned by the Appellant is not applicable to the present case since TJO 131330 is not a regular job opening.

42. Thirdly, concerning “Special post allowance”, Staff Rule 3.10 provides, in relevant part:

(a) Staff members shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of higher level posts.

(b) Without prejudice to the principle that promotion under staff rule 4.15 shall be the normal means of recognizing increased responsibilities and demonstrated ability, a staff member holding a fixed-term or continuing appointment who is called upon to assume the full duties and responsibilities of a post at a clearly recognizable higher level than his or her own for a temporary period exceeding three months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the fourth month of service at the higher level.

43. In the present case, the Appellant applied for a SPA through the CHR. The SPA was granted to the Appellant pursuant to Section 6.3 of ST/AI/2003/3. The Appellant accepted the payment. The Appellant should have known that a staff member could not be promoted to a higher grade level and receive SPA for serving at that grade level at the same time.

44. The Appellant argues that Staff Rule 3.10 is framed as an exception which does not apply to them and the granting of an SPA in their case violated Staff Rule 3.10. The Appellant’s interpretation of Staff Rule 3.10(b) is inaccurate. When we interpret the meaning of the Staff Rules, we must respect the context of the provision as a whole. The expression of “in exceptional cases” in Staff Rule 3.10(b) should be read together with the “a normal part of their customary work and without extra compensation” in Staff Rule 3.10(a), not “the normal means of” in Staff Rule 3.10(b). It means that normally staff members shall be expected to assume temporarily the duties and responsibilities of higher-level posts without extra compensation and only in exceptional cases, they could be granted a non-pensionable special post allowance.

45. Additionally, according to the Merriam-Webster Dictionary¹², “call upon” means “require, oblige” or “to make a demand on: depend on”. In Staff Rule 3.10(b), the expression of “who is called upon” could mean that staff members are required by the Organization to assume temporarily the duties and responsibilities of posts that are at a higher level than their own; or

¹² <http://www.merriam-webster.com/dictionary> visited on 27 October 2023.

that staff members apply for such temporary posts, in which case the Organization also depends on their application. In the present case, it was the Appellant who applied for the position, while they were of course not required or obliged by the Organization to do so. However, the phrase “call upon” does not mean that SPA may only be granted when the staff member is required or obliged to perform the higher-level duties, as the Appellant argues.

46. Fourthly, the Appellant argues that this case is distinguishable from *Elmi*. Of course, this case is different from *Elmi* on the facts. However, in this case, the UNDT referred to *Elmi* to explain that the payment of SPA ensures that the principle of equal pay for equal work is observed.

47. Furthermore, the Appellant submits that an external candidate, according to Staff Rule 3.10, if selected, would have received pay and pension at the P-4 level which constitutes a violation of the principle of equal pay for equal work. We find that their argument is challenging the SPA framework of the Organization. It goes beyond the competence of the Tribunals to review the Organization’s policy on SPA.

48. Fifthly, the UNDT did not ignore that the vacancy was advertised at the P-4 level. The Appellant should have known that they were on a temporary assignment to the P-4 level, not a temporary appointment at the P-4 level since their selection for the position on 24 March 2020. The Appellant was granted SPA effective 1 July 2020. Their temporary assignment and SPA were subsequently extended until 31 May 2021. In March 2022, the UNSOS Human Resources Section recommended the extension of the Appellant’s SPA retroactively from 1 June 2021 through 30 June 2022. On 12 May 2022, a Personnel Action form was issued retroactively extending the Appellant’s temporary assignment and SPA from 1 June 2021 to 30 June 2022. We can see that the administrative decision retroactively extending the Appellant’s temporary assignment and SPA from 1 June 2021 to 30 June 2022 is just an extension of the temporary assignment on 24 March 2020 and its corollary SPA. We find that the SPA was not the substitute of a temporary promotion in the present case.

49. Even though the UNDT said that accepting *arguendo* that the extension of the Appellant’s assignment was an implied refusal of a temporary promotion, it was not receivable for lack of a timely management evaluation, the UNDT subsequently found that “[t]o establish whether there was irregularity in retaining the [Appellant] at the P-3 level ... the Tribunal must examine

incidentally the question of not granting a temporary promotion”.¹³ In fact, the UNDT did give the answer to the question on merits.

50. Therefore, we agree with the UNDT’s finding that there was no irregularity in retaining the Appellant at the P-3 level.

(iii) Did the UNDT err in finding that the decision not to find the Appellant eligible for the P-5 position was lawful?

51. Section 6.1 of provides the eligibility requirements as below:¹⁴

6.1 Staff members holding a permanent, continuing, probationary or fixed-term appointment shall not be eligible to apply for positions more than one level higher than their personal grade. Staff members in the General Service and related categories holding a permanent, continuing or fixed-term appointment may apply for positions in the Field Service category at any level, irrespective of the grade they held in the General Service and related categories, provided they meet the requirements of the post.

52. According to this provision, the Appellant was ineligible to apply for positions more than one level higher than their personal grade. When the Appellant applied for JO 178301, a P-5 position, they were at the P-3 level, not at the P-4 level. Therefore, the Appellant was not eligible to apply for the P-5 position.

53. Consequently, we conclude that there was no irregularity in retaining the Appellant at the P-3 level and they were rightly considered non-eligible for JO 178301. The UNDT did not err in finding that the decision not to find the Appellant eligible for the P-5 position was lawful.

¹³ Impugned Judgment, para. 31.

¹⁴ Internal footnote omitted.

Judgment

54. The Appellant's appeal is dismissed, and Judgment No. UNDT/2022/123 is hereby affirmed.

Original and Authoritative Version: English

Decision dated this 27th day of October 2023 in New York, United States.

(Signed)

Judge Gao, Presiding

(Signed)

Judge Sandhu

(Signed)

Judge Ziadé

Judgment published and entered in the Register on this 21st day of December 2023 in New York, United States.

(Signed)

Juliet E. Johnson, Registrar