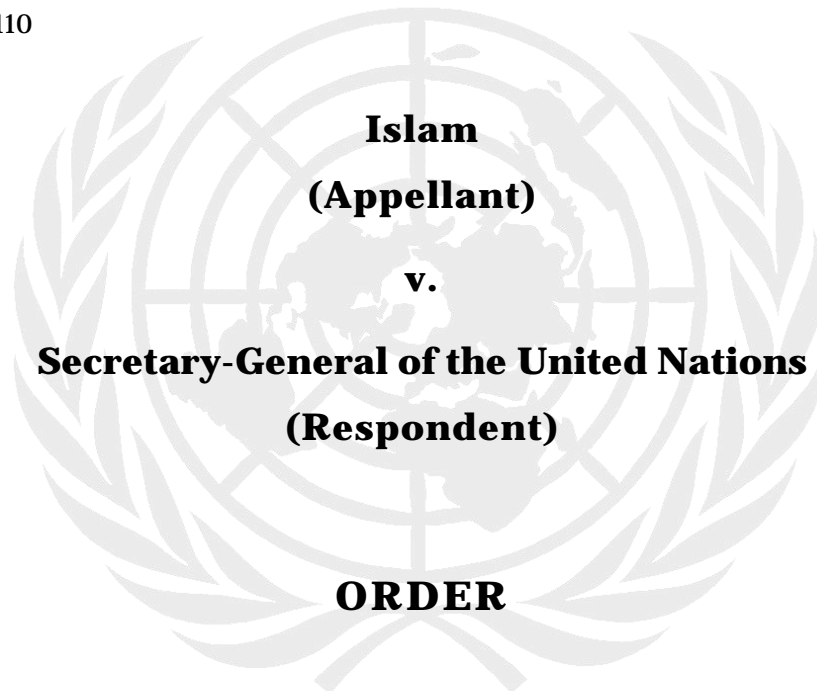




**UNITED NATIONS APPEALS TRIBUNAL  
TRIBUNAL D'APPEL DES NATIONS UNIES**

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Case No. 2010-110



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Before:	Judge Jean Courtial, President
Order No.:	9 (2010)
Date:	28 September 2010
Registrar:	Weicheng Lin

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Counsel for Appellant: Bart Willemsen

**REQUEST FOR CLARIFICATION OF ORDER NO. 7(2010) AND DISCLOSURE**

1. On 8 September 2010, I issued Order No. 7(2010), granting the Secretary-General's request for an extension of time to file his answer to the appeal of Nazrul Islam (Islam) against UNDT Judgment No. 2010/091; and directing that his answer is be filed no later than 17 September 2010.

2. On 24 September 2010, Islam filed a "Request for Clarification of Order No. 7(2010) and Disclosure". He seeks clarification as to the legal basis on which I considered the Secretary-General's request *ex parte*; as to whether I decided *proprio motu* to waive the time limit stipulated in Article 9 of the Rules of Procedure; and, if so, why this was not stipulated in the Order. He further requests clarification as to why the information on the cases to be considered during the Appeals Tribunal's fall session was communicated to the Secretary-General *ex parte*; and why this information was accepted as a substantive argument in support of the request. Islam requests that I instruct the Registrar to disclose to him the Secretary-General's request dated 31 August 2010.

3. Having carefully considered the request, I find no reason to make a ruling prior to the hearing of the appeal. I therefore order that the request shall be considered by the Appeals Tribunal together with the appeal on the merits.

Dated this 28<sup>th</sup> day of September 2010 in Paris, France.

Original: English

*(Signed)*

Judge Courtial, President

Entered in the Register on this 28<sup>th</sup> day of September 2010 in New York, United States.

*(Signed)*

Weicheng Lin, Registrar  
United Nations Appeals Tribunal