



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

Case No. 2010-083

**Beaudry
(Respondent/Applicant)**

v.

**Secretary-General of the United Nations
(Appellant/Respondent)**

ORDER

Before:	Judge Inés Weinberg de Roca, Duty Judge
Order No.:	24 (2010)
Date:	16 November 2010
Registrar:	Weicheng Lin

Counsel for Respondent/Applicant: Bart Willemsen

**BEAUDRY'S REQUEST FOR EXTENSION OF TIME TO FILE APPEAL AGAINST
JUDGMENT ON COMPENSATION AND REQUEST FOR REVISION OF JUDGMENT ON
MERITS**

1. On 4 March 2010, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. 2010/039 on the merits of the case of Louise Beaudry (judgment on merits and Beaudry, respectively). The Secretary-General appealed that judgment on 19 April 2010.
2. On 18 August 2010, the UNDT issued Judgment No. 2010/146 on the issue of compensation (judgment on compensation). It ordered the Secretary-General to pay Beaudry compensation in the amount of USD 12,082.
3. On 23 September and 30 September 2010 respectively, the Secretary-General and Beaudry requested that the Appeals Tribunal grant an extension of time to appeal the judgment on compensation pending adjudication of the appeal against the judgment on merits. By Orders Nos. 10 and 19, the Appeals Tribunal granted both requests and ordered that the parties file their appeals, if any, no later than 15 November 2010, following the publication of the synopsis of the judgment on the appeal against the UNDT judgment on merits.
4. On 1 November 2010, the Appeals Tribunal announced a synopsis of its judgment on the Secretary-General's appeal against the judgment on merits in a public hearing. The same day, the Registry of the Appeals Tribunal published the synopsis on its website.
5. On 12 November 2010, Beaudry filed a further motion for an extension of time. She argues that "absent a full and reasoned decision on the appeal against the judgment on liabilities, [she] is at present not in a position to determine whether there is a need to exercise her rights under Article 11 of the Statute". She further contends that she "preserves her right to appeal the judgment on compensation and thereto requests that the time limit be extended *sine die*".
6. Article 7(2) of the Rules of Procedure of the Appeals Tribunal (Rules) provides that "[i]n exceptional cases, an appellant may submit a written request to the Appeals Tribunal seeking suspension, waiver or extension of the time limits...". Under Article 30 of the Rules, "the President or the panel hearing a case may shorten or extend a time

limit fixed by the rules of procedure or waive any rule when the interests of justice so require”.

7. In her request, Beaudry appears to seek an extension of time to file an appeal against the UNDT judgment on compensation as well as an extension of time to file a request for revision of the Appeals Tribunal’s judgment on the appeal against the UNDT judgment on merits.

8. Beaudry has not made any representation as to whether she has discovered a new fact which may warrant a request for a revision of the Appeals Tribunal’s judgment.

9. The request for an extension of time to file a request for revision is denied.

10. Turning to Beaudry’s request for an extension of time to file an appeal against the UNDT judgment on compensation, I have considered the inter-relatedness of the two UNDT judgments and the effect that the outcome of the Appeals Tribunal’s judgment on the appeal of the judgment on merits will have on the nature and scope of Beaudry’s appeal of the judgment on compensation. I have further considered Beaudry’s contention that she encounters difficulties in determining whether and how to appeal the UNDT judgment on compensation based on the brief synopsis of the judgment disposing of the appeals from the UNDT Judgment on merits. In the circumstances, I find it reasonable to grant an extension of time in order for Beaudry to decide whether and how to appeal the judgment on compensation after the issuance of the written judgment of the Appeals Tribunal to the parties.

ORDER

11. For the foregoing reasons, Beaudry's request is granted in part; the time limit imposed by the Appeals Tribunal's previous orders to file an appeal against the UNDT judgment on compensation is extended until 15 days from the issuance to the parties of the written judgment on the appeal against the judgment on merits; and Beaudry's motion in all other respects is denied. Beaudry is further ordered to attach a copy of this Order to her appeal, if any.

Dated this 16th day of November 2010 in Buenos Aires, Argentina.

Original and authoritative version: English

(Signed)

Judge Weinberg de Roca,
Duty Judge

Entered in the Register on this 16th day of November 2010 in New York, United States.

(Signed)

Weicheng Lin, Registrar