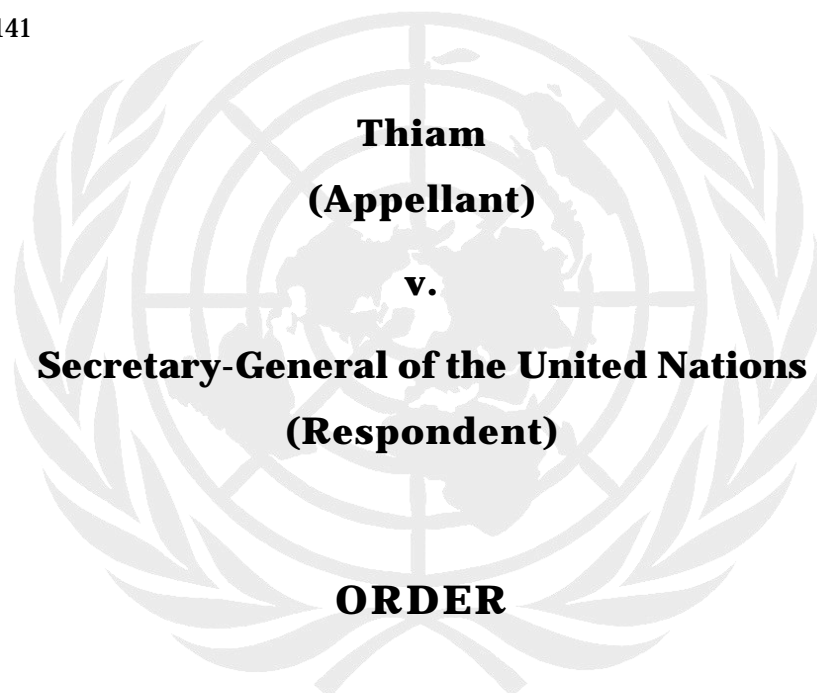




**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Case No. 2010-141



**Thiam
(Appellant)**

v.

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

ORDER

Before: Judge Mark P. Painter

Order No.: 33 (2011)

Date: 12 January 2011

Registrar: Weicheng Lin

Counsel for Appellant: Self-represented

REQUEST FOR LEAVE TO FILE REPLY TO RESPONDENT'S ANSWER

1. On 30 September 2010, Mohamed Thiam (Thiam) filed an appeal against Judgment No. UNDT/2010/131 rendered by the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) on 22 July 2010. The Secretary-General filed his Respondent's Answer on 19 November 2010.
2. On 19 December 2010, Thiam filed "Appellant's observations to the Respondent's answer to the Appeal of UNDT Judgment No. 2010/131".
3. Articles 8 and 9 Of the United Nations Appeals Tribunal's Rules of Procedure (Appeals Tribunal and Rules, respectively) provide for an appellant to submit an appeal form, accompanied by a brief, and for a respondent to submit an answer form, accompanied by a brief. There is no provision under the Rules for the parties to submit additional pleadings.
4. Under Article 31(1) of the Rules, the Appeals Tribunal may however allow additional pleadings in exceptional circumstances.
5. A review of Thiam's suggested additional filing reveals that his submissions relate directly to the receivability of the appeal which the Secretary-General has challenged in his Respondent's Answer. In my view, this justifies a finding of exceptional circumstances warranting the filing of Thiam's additional pleading.

ORDER

6. For the foregoing reason, I admit Thiam's additional filing. I further direct the Registrar to transmit a copy of Thiam's filing to the Secretary-General who shall have 15 days to file a rebuttal to Thiam's additional pleading, if any.

Dated this 12th day of January 2011 in Cincinnati, United States.

Original and authoritative version: English

(Signed)

Judge Painter, Duty Judge

Entered in the Register on this 12th day of January 2011 in New York, United States.

(Signed)

Weicheng Lin, Registrar