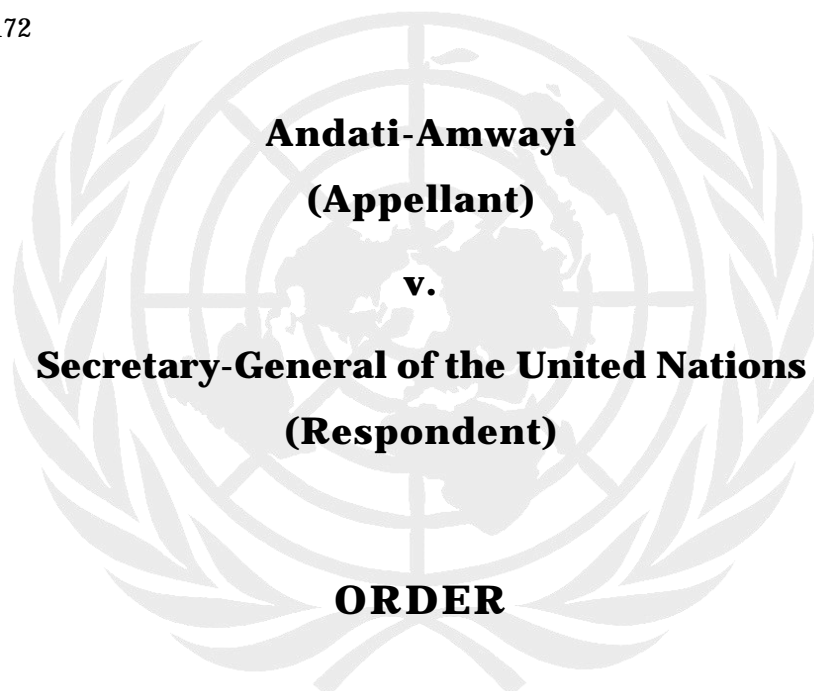




**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Case No. 2010-172



**Andati-Amwayi
(Appellant)**
v.
**Secretary-General of the United Nations
(Respondent)**

ORDER

Before: Judge Mark P. Painter

Order No.: 35 (2011)

Date: 12 January 2011

Registrar: Weicheng Lin

Counsel for Respondent: Antigoni Axenidou

REQUEST FOR EXTENSION OF TIME TO FILE RESPONDENT'S ANSWER

1. On 29 November 2010, David Andati-Amwayi (Andati-Amwayi) filed an appeal against Judgment No. UNDT/2010/183. Under Article 9.3 of the Appeals Tribunal's Rules of Procedure (Rules), the respondent's answer is due within 45 days of the date on which the respondent received the appeal transmitted by the Registrar. In the present case, the Registrar transmitted the appeal on 30 November 2010, and the Secretary-General's answer is accordingly due on 14 January 2011.

2. On 7 January 2011, the Secretary-General filed a request for an extension of time to file an answer to the appeal, in view of the information that he had received of the passing away of Andati-Amwayi. He requests an extension of 10 calendar days from the date on which the Appeals Tribunal's Registry will notify him of whether or not the case will be continued.

3. Under Article 30 of the Appeals Tribunal's Rules, "the President or the panel hearing a case may shorten or extend a time limit fixed under the rules of procedure or waive any rule when the interests of justice so require".

4. In view of the uncertainty surrounding this appeal as a result of the death of the Appellant, and pending clarification from the deceased's estate concerning this matter, I consider it reasonable to grant a ten-day extension from the date of the notification by the Registry of whether or not this case will be continued.

ORDER

5. For the foregoing reasons, I grant the Secretary-General's request for a time extension and order that he file his answer, if any, no later than 10 days from the notification by the Registry of whether or not this case is to be continued.

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