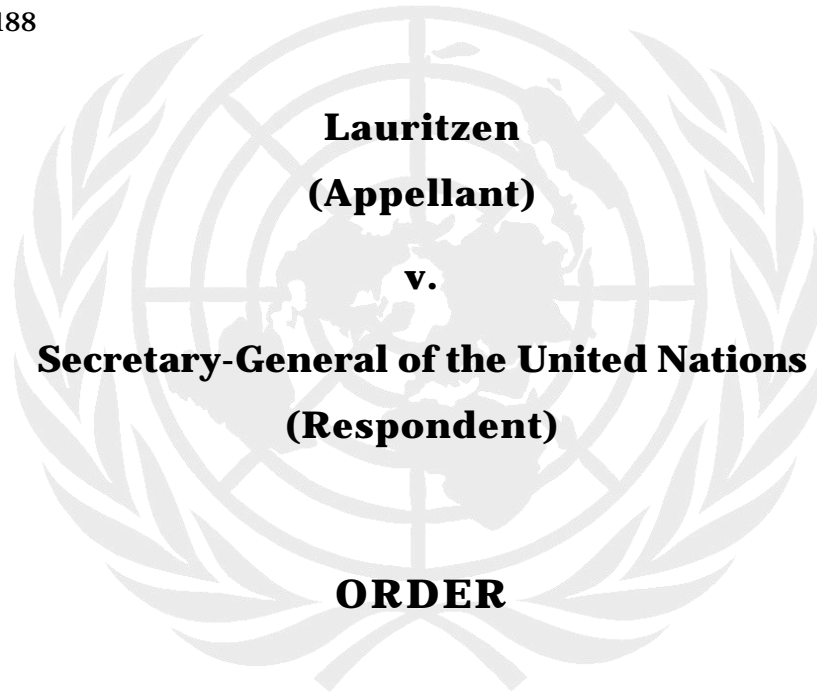




**UNITED NATIONS APPEALS TRIBUNAL  
TRIBUNAL D'APPEL DES NATIONS UNIES**

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Case No. 2010-188



**Lauritzen  
(Appellant)**

**v.**

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

**ORDER**

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Before: Judge Mark P. Painter

Order No.: 38 (2011)

Date: 24 January 2011

Registrar: Weicheng Lin

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Counsel for Appellant: Edward P. Flaherty

REQUEST FOR EXTENSION OF TIME TO FILE APPEAL

1. On 27 September 2010, the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) issued Judgment No. UNDT/2010/172, in French, on the application by Francoise Lauritzen (Lauritzen). Lauritzen states that she received the English translation of the Judgment on 26 November 2010.

2. Under Article 7(1)(c) of the Appeals Tribunal's Statute (Statute), an appeal must be filed within 45 days of receiving the Dispute Tribunal's judgment. Accordingly, the time limit expires on 13 January 2011.

3. By letter dated 4 January 2011, Lauritzen filed an appeal form and made a request for an extension of time to file her appeal brief *sine die*, until 30 days after she receives permission from her physician to participate in the preparation of her appeal brief. Lauritzen has been diagnosed with a serious medical condition and is undergoing treatment. In a medical certificate dated 6 December 2010, Lauritzen's physician certifies that it is necessary for Lauritzen to receive treatment for several months.

4. I instructed the Registry to serve the request on the Secretary-General and directed that the Secretary-General file a response to the request, if any, by 21 January 2011. The Secretary-General informed the Registry that he does not have comment on the request.

5. Article 7(3) of the Statute provides that "[t]he Appeals Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and only in exceptional circumstances". The Appeals Tribunal has repeatedly held that it "has been strictly enforcing, and will continue to strictly enforce, the various time limits".<sup>1</sup>

6. I consider that the medical condition suffered by Lauritzen constitutes exceptional circumstances and her request for an extension of time to file a brief is justified. Although it is not known when Lauritzen will be well enough to instruct counsel, I do not

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<sup>1</sup> See *Islam v. Secretary-General of the United Nations*, Order No. 7 (2010); *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043.

propose to grant an extension of time in the terms she requests. In order to promote effective case management by the Appeals Tribunal, it is more appropriate to grant an extension for a fixed period of time on the basis that, if further time is needed to prepare her brief, Lauritzen may apply for a further extension of time, supported by appropriate medical evidence.

**ORDER**

7. For the foregoing reasons, I grant Lauritzen an extension of time to 26 April 2011 to file a brief in support of her appeal.

Dated this 24<sup>th</sup> day of January 2011 in Cincinnati, United States.

Original and authoritative version: English

*(Signed)*

Judge Painter, Duty Judge

Entered in the Register on this 24<sup>th</sup> day of January 2011 in New York, United States.

*(Signed)*

Weicheng Lin, Registrar