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

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Case No. 2015-710

**Roberts**  
**(Respondent)**

**v.**

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

**ORDER No. 233 (2015)**

1. On 4 March 2015, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in New York issued Judgment No. UNDT/2015/020, in the case of *Roberts v. Secretary-General of the United Nations*. The UNDT found in favor of Mr. Glenn Roberts and ordered, inter alia, that the Organization pay Mr. Roberts USD 10,000 in moral damages. On 4 May 2015, the Secretary-General filed his appeal against the Judgment, challenging, inter alia, the award of moral damages. On 3 June 2015, Mr. Roberts filed his answer, submitting, inter alia, that the challenge was moot given the award had been paid.
2. On 10 June 2015, the Secretary-General filed a “Motion for Leave to File Additional Pleadings” requesting leave to respond to Mr. Robert’s answer, claiming that exceptional circumstances warrant the submission of such pleadings in the present case. In particular, he claims that he only discovered after the filing of Mr. Robert’s answer that the sum of USD 10,000 had been erroneously paid to Mr. Roberts, but that such payment did not evidence the Secretary-General’s acceptance of the UNDT Judgment.
3. Under the United Nations Appeals Tribunal (Appeals Tribunal) Statute, the Appellant is not entitled to file a response to the answer to his appeal. However, Article 31(1) of the Appeals Tribunal Rules of Procedure and Section II.A.3 of our Practice Direction No. 1 provide that we may allow leave to file additional pleadings after the filing of the answer if there are exceptional circumstances for doing so.

4. In the present matter, the Appeals Tribunal is satisfied that the Secretary-General has demonstrated exceptional circumstances for filing an additional submission in that he seeks to respond to new facts and evidence that were not part of the UNDT record. The Secretary-General's motion should be granted.

**IT IS HEREBY ORDERED** that the Secretary-General's motion **IS GRANTED** and the additional pleadings **shall be filed within 10 days from the date of this order, being no later than Monday 17 August 2015.**

Original and Authoritative Version: English

Dated this 7<sup>th</sup> day of August 2015  
in Los Angeles, United States.

*(Signed)*  
Judge Rosalyn Chapman, President

Entered in the Register on this 7<sup>th</sup> day of  
August 2015 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar