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

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Case No. 2015-720

**Melpignano  
(Respondent)**

**v.**

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

**ORDER No. 244 (2015)**

**REQUEST FOR WITHDRAWAL OF APPEAL**

1. On 27 April 2015, the United Nations Dispute Tribunal (UNDT) in Geneva issued Order No. 93 (GVA/2015) in the case of *Melpignano v. Secretary-General of the United Nations*. On 27 May 2015, the Secretary-General appealed that order to the United Nations Appeals Tribunal (Appeals Tribunal). Mr. Cosimo Melpignano filed an answer on 23 June 2015.
2. On 23 October 2015, the Secretary-General filed a Motion to withdraw his appeal. He informed the Appeals Tribunal that the UNDT that had issued Order No. 93 (GVA/2015) subsequently, on 24 August 2015, issued Judgment No. UNDT/2015/075 on the merits, which effectively rendered his appeal of Order No. 93 (GVA/2015) moot. The Secretary-General has therefore filed the present motion “in the interest of judicial economy”.
3. On 9 November 2015, Counsel for Mr. Melpignano confirmed that her client did not oppose the Motion to withdraw.
4. The Appeals Tribunal has routinely granted motions to withdraw appeals when the non-moving parties express no objection, as there is “no reason to require [a party] to pursue an appeal he [or she] no longer deems necessary in the context of his [or her] case”.<sup>1</sup>

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<sup>1</sup> *Teferra v. Secretary-General of the United Nations*, Order No. 16 (2010). See also *Abu Al Haija v. Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees*

**IT IS HEREBY ORDERED** that the Secretary-General's Motion to withdraw his appeal of Order No. 93 (GVA/2015) be granted, and that the case be closed and removed from the Appeals Tribunal's docket.

Original and Authoritative Version: English

Dated this 2<sup>nd</sup> day of December 2015  
in Los Angeles, United States.

*(Signed)*  
Judge Rosalyn Chapman, President

Entered in the Register on this 2<sup>nd</sup> day of  
December 2015 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar

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*in the Near East*, Order No. 222 (2015), quoting *Kusuma v. Secretary-General of the United Nations*, Order No. 211 (2015) and cites therein.