



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2016-901

**Sutherland, Reid, Marcussen, Goy, Jarvis, Baig, Edgerton and Nicholls
(Respondents/Applicants)**

v.

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

ORDER No. 253 (2016)

1. On 17 December 2015, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in Geneva rendered Judgment No. UNDT/2015/116 in the cases of *Sutherland, Reid, Marcussen, Goy, Jarvis, Baig, Edgerton and Nicholls v. Secretary-General of the United Nations*, rescinding the administrative decisions which denied these applicants conversion of their fixed-term appointments to permanent appointments, remanding their cases to the Assistant Secretary-General for the Office of Human Resources Management for reconsideration, and awarding each applicant EUR 3,000.
2. On 15 February 2016, the Secretary-General appealed and attached to the appeal annexes related to only one of the eight applicants (Respondents herein).
3. On 22 February 2016, the Secretary-General filed a motion for leave to refile his appeal “in order to rectify [his] erroneous attachment of the annexes relevant to only one of the eight Applicants”. The Secretary-General’s motion is to allow him to refile his appeal “so that the annexes to the appeal (and references to those annexes) can be adjusted in relation to each of the named Applicants in that UNDT Judgment in order to respect and preserve the confidentiality of those annexes”.
4. Mr. Mathias Marcussen is the only Respondent to file a response to the motion. On 7 March 2016, he stated that he did not oppose the Secretary-General’s motion to refile the appeal, but opined that the initial filing of annexes related to only one applicant was not “an inadvertent error” but was “a deliberate, if wrong, decision”.

5. The Secretary-General's motion is granted; it will not cause any prejudice to the Respondents.

IT IS HEREBY ORDERED that the Secretary-General's Motion for leave to refile his appeal IS GRANTED, and he is ordered to refile his appeal, with proper annexes, **no later than 1 April 2016**. The Registrar shall serve each Respondent with the appeal and the annexes related solely to that Respondent and not any other Respondent.

Original and Authoritative Version: English

Dated this 22nd day of March 2016
in New York, United States.

(Signed)
Judge Rosalyn Chapman, President

Entered in the Register on this 22nd day of
March 2016 in New York, United States.

(Signed)
Weicheng Lin, Registrar