



Before: Judge Rowan Downing

Registry: Geneva

Registrar: René M. Vargas M.

CAMMAROTA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON RESPONDENT'S MOTION TO
SEEK ENFORCEMENT OF
PRACTICE DIRECTION NO. 4**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Elizabeth Gall, ALS/OHRM, UN Secretariat

Introduction

1. By application filed 10 August 2018, the Applicant, a Senior Public Information Officer (P-5) in the Department of Public Information, challenges the decision to forcibly remove him from his post in Pakistan and the failure to clarify his status thereafter.
2. The application was served on the Respondent on 17 August 2018 and he has until 17 September 2018 to submit his reply.
3. By motion filed on 20 August 2018, the Respondent requests an order from the Tribunal directing the Applicant to file an application that complies with Practice Direction No. 4 on Filing of Applications and Replies.

Consideration

4. Pursuant to sec. 6 of Practice Direction No. 4, “[t]he application should not exceed 10 pages, in font Times New Roman, font size 12, line spacing of 1.5 lines”.
5. The current application contains 22 pages in total, 19 of which are devoted to setting out the facts of the case, the grounds for contesting the administrative decision and the remedies sought.
6. The Respondent takes issue with the fact that the Applicant did not respect the page limit set forth in Practice Direction No. 4 nor sought leave to exceed it.
7. Having reviewed the application, the Tribunal notes that it involves a large set of facts and raises several issues. The Tribunal thus finds it appropriate to accept its filing in excess of the page limit, pursuant to art. 19 of the Dispute Tribunal’s Rules of Procedure. Although no formal request to exceed the page limit has been presented, the Tribunal finds that the facts speak for themselves and that it would not be in the interests of justice and judicial economy to be overly formalistic in this matter.
8. The Tribunal finds it appropriate to also allow the Respondent to exceed the page limit set forth in sec. 20 of Practice Direction No. 4, which applies to replies.

Case No. UNDT/GVA/2018/090

Order No. 129 (GVA/2018)

IT IS ORDERED THAT:

9. The filing of the application in excess of the page limit set forth in sec. 4 of Practice Direction No. 4 is accepted.

10. The page limit set forth in sec. 20 of Practice Direction No. 4 for the filing of the reply is waived.

(Signed)

Judge Rowan Downing

Dated this 24th day of August 2018

Entered in the Register on this 24th day of August 2018

(Signed)

René M. Vargas M., Registrar, Geneva