



Before: Judge Sun Xiangzhuang

Registry: Geneva

Registrar: René M. Vargas M.

DIETRICH

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON
MOTION FOR WITHDRAWAL**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Tiffany Henderson, UNOPS

Kong Leong Toh, UNOPS

Introduction

1. On 6 April 2023, the Applicant, a Governance Officer, Stop TB Partnership, United Nations Office for Project Services (“UNOPS”), filed an application contesting the decision to withdraw her international entitlements as of 1 September 2022.
2. On 12 April 2023, the application was served on the Respondent with a deadline to reply by 12 May 2023.
3. On 1 May 2023, the Respondent filed a Joint Motion for suspension of proceedings pending mediation.
4. On 2 May 2023, the Office of the Ombudsman for the United Nations Funds and Programs informed the Registry about the parties’ agreement to mediate and requested suspension of the proceedings for 30 days pending mediation.
5. By Order No. 45 (GVA/2023) of 3 May 2023, the Tribunal granted the parties’ joint motion to suspend the proceedings until 5 June 2023. The Respondent’s deadline to file a reply was set to 5 July 2023.
6. On 5 June 2023, the Office of the Ombudsman informed that the parties were still involved in amicable discussions and requested a further suspension of the proceedings and extension of the Respondent’s deadline to reply.
7. By email notification of 6 June 2023, the Tribunal granted the request. The proceedings were suspended until 5 July 2023, and the Respondent’s reply extended to 7 August 2023.
8. On 5 July 2023, the Office of the Ombudsman requested a further suspension of proceedings for 30 days, which was granted by email notification on the following day.
9. On 31 August 2023, a new request for suspension of proceedings was granted.

10. On 12 October 2023, the Office of the Ombudsman informed the Tribunal that the parties have reached a settlement in principle, and requested an extension of the Respondent's deadline to file a reply.

11. By Order No. 138 (GVA/2023) of 12 October 2023, the Tribunal granted the request and extended the Respondent's deadline to reply until 23 October 2023.

12. By email of 23 October 2023, the parties requested a further extension of the deadline to file the Respondent's reply, which the Tribunal granted by email notification the following day.

13. On 6 November 2023, the Applicant informed the Tribunal that the parties reached a settlement and requested leave to withdraw her application.

Consideration

14. Having reviewed the motion, the Tribunal sees no obstacle to the withdrawal of the application. The Applicant's clear and unequivocal withdrawal of her application following a settlement agreement requires no pronouncement on the merits and concludes the current matter before the Tribunal.

Conclusion

15. In view of the foregoing, it is ORDERED THAT there being no further matter for adjudication before the Tribunal, Case No. UNDT/GVA/2023/019 be hereby closed and struck from the Tribunal's docket.

(Signed)

Judge Sun Xiangzhuang

Dated this 8th day of November 2023

Entered in the Register on this 8th day of November 2023

(Signed)

René M. Vargas M., Registrar, Geneva