



Before: Judge Sun Xiangzhuang (Presiding), Judge Joelle Adda, Judge Sean Wallace

Registry: Geneva

Registrar: René M. Vargas M.

VANSHELBOIM

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

George Irving

Counsel for Respondent:

Jacob B. van de Velden, DAS/ALD/OHR, UN Secretariat

Maria Romanova, DAS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant, a former staff member of the United Nations Office for Project Services (“UNOPS”), contests the decision to impose on him the disciplinary measures of dismissal and a fine of twelve months’ net base salary. He also contests the decision to recover from him the amount of USD63,626,806 and to withhold the release of the PF.4 form (“separation notification”) to the United Nations Joint Staff Pension Fund (“UNJSPF”) until such indebtedness is fully recovered.
2. Between 12 and 13 August 2024, the parties attended a virtual hearing on the merits before a three-Judge Panel (“the Panel”).
3. By Order No. 92 (GVA/2024) of 14 August 2024, the Tribunal instructed the parties to file closing submissions by Friday, 23 August 2024, as agreed at the hearing.
4. On 15 August 2024, the Respondent filed a motion requesting an extension of time to file his closing submission until 16 September 2024, and leave to extend the 20-page limit by approximately 20 pages. Subsequently, the Applicant filed his comments on the motion.

Consideration

5. The Respondent requests an extension of time of 3 weeks based on the fact that he has an upcoming hearing in another case on 22 and 23 August 2024, and on “the required additional and broader submissions” requested by Order No. 92 (GVA/2024). Based on the latter, he also requests leave to add approximately 20 more pages to the page limit.
6. The Applicant contends that he does not have an objection to a mutually agreeable date if the Respondent needs a brief extension to comply with Order No. 92 (GVA/2024), but that he does not wish to protract the proceedings.
7. The Tribunal is not persuaded by the Respondent’s reasoning. He was asked at the hearing about a timeframe to file closing submissions and did not mention at all the fact that he had another hearing coming so close.

8. The Tribunal is equally not persuaded by the Respondent's argument that Order No. 92 (GVA/2024) calls for "additional and broader submissions".

9. In fact, the Tribunal clarifies that the Order is simply asking the parties to develop on some key specific issues, focusing the closing submissions on the disputed facts rather than agreed ones.

10. Notwithstanding, in the interest of justice and the fair disposition of the case, the Tribunal will partially grant the Respondent's motion to allow both parties a 2-week extension of time to respectively file closing submissions, subject to a 25-page limit.

Conclusion

11. In view of the foregoing, it is ORDERED THAT the parties shall file their respective closing submission, subject to a 25-page limit, by **Friday, 6 September 2024**.

(Signed)

Judge Sun Xiangzhuang (Presiding)

Dated this 19th day of August 2024

Entered in the Register on this 19th day of August 2024

(Signed)

René M. Vargas M., Registrar, Geneva