



**Before:** Judge Vinod Boolell  
**Registry:** Nairobi  
**Registrar:** Abena Kwakye-Berko

MERHI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**DECISION ON THE APPLICANT'S  
NOTICE OF WITHDRAWAL AND  
MOTION TO DISCONTINUE  
PROCEEDINGS**

---

**Counsel for the Applicant:**

Marisa MacLennan, OSLA

**Counsel for the Respondent:**

Steven Dietrich, ALS/OHRM

Nicole Wynn, ALS/OHRM

## **Introduction**

1. The Applicant holds a permanent appointment, at the GS6 level. He serves as a Programme Assistant at the Economic and Social Commission for Western Asia (ESCWA).

2. On 30 October 2013, the Applicant filed the present Application before the United Nations Dispute Tribunal (UNDT/Tribunal) in Nairobi challenging the Respondent's failure to authorise his relocation in March 2013 and negligence in authorising his return to his residence.

3. The Respondent filed his Reply to the Application on 5 December 2013.

4. On 15 July 2014, the Tribunal issued Order No. 179 (NBI/2014) directing the Parties to consider having this matter settled informally.

5. The Parties were to advise the Tribunal on the likelihood of an informal settlement by 15 August 2014.

6. On 14 August 2014, the Parties informed the Tribunal that efforts to resolve the dispute informally were underway and that an "agreement resolving any and all matters raised in the application" was expected to be finalised within 21 days.

7. On 3 September 2014, the Applicant filed a Notice of Withdrawal and moved the Tribunal to order the discontinuation of these proceedings.

## **DIRECTIONS**

8. The Tribunal congratulates the Parties for having resolved this dispute *inter partes*. The Tribunal also appreciates and commends the Parties' conduct in having this matter efficiently and expeditiously settled.

9. The Tribunal hereby **RECORDS** the contents of the Applicant's Notice and **ORDERS** that the matter of *Merhi v Secretary General of the United Nations* (UNDT/NBI/2013/075) be struck off the Court's docket.

*(signed)*

Judge Vinod Boolell

Dated this 3<sup>rd</sup> day of September 2014

Entered in the Register on this 3<sup>rd</sup> day of September 2014

*(signed)*

Abena Kwakye-Berko, Registrar, UNDT, Nairobi