



Before: Judge Vinod Boolell

Registry: Nairobi

Registrar: Abena Kwakye-Berko

SANDY

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**DECISION ON THE APPLICANT'S
MOTION TO DISCONTINUE**

Counsel for the Applicant:
Alexandre Tavadian, OSLA

Counsel for the Respondent:
Steven Dietrich, ALS/OHRM
Nicole Wynn, ALS/OHRM

The Application

1. The Applicant is the former Chief of the Security Sector Development Office, within the United Nations Political Office in Somalia (UNPOS). He served at the D1 level.
2. On 13 November 2014, the Applicant filed an application with the United Nations Dispute Tribunal in Nairobi challenging the Respondent's decision to terminate his appointment with UNPOS and "not transition him to the new mission in Somalia" i.e. the United Nations Assistance Mission in Somalia (UNSOM).
3. The Respondent filed his Reply to the Application on 13 December 2013.
4. On 25 July 2014, the Tribunal provided the Applicant the opportunity to respond to the Respondent's submissions and directed that the response be filed by 15 August 2014.
5. On 29 July 2014, the Applicant filed a Motion for Extension of Time on grounds that counsel instructed for this case was away on leave and not due back in Nairobi before 11 August 2014.
6. In order to take the necessary instructions from his client and provide a properly considered response, counsel asked that the deadline be extended to 15 September 2014.
7. On 30 July 2014, the Tribunal issued Order No. 190 (NBI/2014) granting the extension sought by the Applicant.
8. On 2 September 2014, the Applicant filed his submissions in response to the Respondent's Reply.
9. On 31 October 2014, the Tribunal issued Order No. 242 (NBI/2014) directing the Parties to jointly submit on the facts and issues in this case, and to indicate if they considered an oral hearing to be necessary.

10. On 1 December 2014, the Parties filed their joint submission stipulating to agreed and disputed facts and the legal issues in contention.

11. On 18 December 2014, the Tribunal issued a Notice of Hearing – Order No. 272 (NBI/2014) – setting the matter for trial on 17 February 2015.

12. On 27 January 2015, the Tribunal issued Order No. 030 (NBI/2015) revising the dates previously set for the hearing.

13. On the same day, the Applicant filed his Motion to Discontinue.

Order

14. The Tribunal hereby **RECORDS** the contents of the Applicant’s Motion and **ORDERS** that the matter of *Sandy v Secretary General of the United Nations* (UNDT/NBI/2013/077) be struck off the Court’s docket.

(Signed)

Judge Vinod Boolell

Dated this 27th day of January 2015

Entered in the Register on this 27th day of January 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi