



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2014/103  
Order No.: 064 (NBI/2015)  
Date: 3 March 2015  
Original: English

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**Before:** Judge Nkemdilim Izuako

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

CUTBUSH

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE APPLICANT'S  
NOTICE OF WITHDRAWAL**

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**Counsel for the Applicant:**  
Marisa Maclellan, OSLA

**Counsel for the Respondent:**  
Stephen Margetts, ALS/OHRM  
Nicole Wynn, ALS/OHRM

## **Introduction**

1. The Applicant serves as a Protection Officer at the United Nations Support Office for the African Union Military Observer Mission in Somalia (“UNSOA”) at the FS-5 level. On 19 November 2014, he filed an Application contesting a decision of the Advisory Board on Compensation Claims (ABCC), taken on behalf of the Secretary-General, to grant his injury compensation claim without “any formal recognition of the Applicant’s injury as service-incurred”.
2. The Respondent filed a Reply to the Application on 18 December 2014. He argued that the Application is not receivable *rationae materiae*.
3. On 25 February 2015, the Applicant prayed the Tribunal for leave to allow him to withdraw his Application “based on the engagement of both parties in attempts to informally resolve this matter and actions taken by the Respondent subsequent to the filing of this Application”.

## **ORDER**

4. The Tribunal hereby **RECORDS** the contents of the Applicant’s submission and **ORDERS** that the matter of *Cutbush v Secretary-General of the United Nations* (UNDT/NBI/2014/103) be struck off the Court’s docket.

*Signed)*

Judge Nkemdilim Izuako

Dated this 3<sup>rd</sup> day of March 2015

Entered in the Register on this 3<sup>rd</sup> day of March 2015

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi