



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2014/059

Order No.: 154 (NBI/2015)

Date: 11 May 2015

Original: English

Before: Judge Nkemdilim Izuako

Registry: Nairobi

Registrar: Abena Kwakye-Berko

TOSI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:
Self-represented

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

Introduction

1. The Applicant is a staff member of the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (“MONUSCO”). In his Application dated 4 July 2014, he is challenging the finding of the Advisory Board on Compensation Claims (ABCC) that his claim for salary during certified sick leave under Appendix D of the Staff Rules was not receivable.
2. The Respondent’s Reply was filed on 6 August 2014.
3. On 23 September 2014, the Tribunal issued Order No. 212 (NBI/2014) in which this matter was referred for mediation to the Mediation Division in the Office of the United Nations Ombudsman and the proceedings were accordingly stayed.
4. On 7 May 2015, the Office of the Ombudsman informed the Tribunal that the Parties had settled the matter and that it was no longer in mediation.
5. On 8 May 2015, the Applicant prayed the Tribunal for leave to allow him to withdraw his Application following an agreement reached through the mediation process.

ORDERS

6. The Tribunal hereby **RECORDS** the Applicant’s application for withdrawal and **ORDERS** that the matter of *Tosi v Secretary-General of the United Nations* (UNDT/NBI/2014/059) be struck off the Court’s docket.

(Signed)

Judge Nkemdilim Izuako

Dated this 11th day of May 2015

Entered in the Register on this 11th day of May 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi