



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2014/067
Order No.: 155 (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 16 August 2014, he is challenging the insertion of comments in his 2012-2013 performance evaluation finalized on 28 April 2014.
2. The Respondent’s Reply was filed on 18 September 2014.
3. On 23 September 2014, the Tribunal issued Order No. 213 (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.

ORDER

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/2014/067) 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