



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

SMITH

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

CASE MANAGEMENT ORDER

Counsel for the Applicant:

Daniel Trup, Office of Staff Legal Assistance

Counsel for the Respondent:

Stephen Margetts, ALS/OHRM

Nicole Wynn, ALS/OHRM

Introduction and Procedural History

1. The Applicant holds a permanent appointment with the United Nations. He is currently a Procurement Assistant at the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). He serves at the FS5 level and is based in Goma, Democratic Republic of the Congo.
2. On 26 November 2014, the Applicant filed an Application with the United Nations Dispute Tribunal in Nairobi challenging the decision denying him the lump-sum relocation grant for the shipment of his personal effects on being reassigned from Kinshasa to Goma in the Democratic Republic of the Congo 2014.
3. The Respondent replied to the Application on 23 December 2014.
4. The Tribunal held a case management hearing in this matter on 18 February 2015 during the course of which the Tribunal urged the Parties to consider informal resolution of the dispute. The Parties were given 14 days to jointly advise the Tribunal of the likelihood of this matter being settled.
5. On 20 March 2015, the Parties filed a motion seeking additional time for their ongoing informal settlement discussions.
6. On 23 March 2015, the Tribunal issued Order No. 101 (NBI/2015) granting the motion.
7. On 29 April 2015, the Parties jointly informed the Tribunal that the informal discussions have failed to resolve the dispute between them and requested that the matter proceed before the Tribunal.

DIRECTIONS

8. For the purposes of fair and expeditious management of this case, the following **ORDERS** are made:

By **15 June 2015**, the **PARTIES** are to **JOINTLY**:

- a) file a concise statement of facts, **agreed and disputed**, listed in chronological order;
- b) identify the legal issues, arising from those facts, for determination by the Tribunal;
- c) notify the Tribunal if they intend to submit additional documents, further to that already filed, indicating the relevance of same as evidence for this court to consider;
- d) notify the Tribunal of any disclosure issues that may need to be decided upon;
- e) advise the Tribunal if they wish to have this matter set down for an oral hearing on the merits or if they are amenable to the matter being decided on the papers.

9. The Tribunal further **DIRECTS** that any other motion for interlocutory orders being sought by the Parties be filed by **15 June 2015**.

Case No. UNDT/NBI/2014/104

Order No.: 170 (NBI/2015)

(Signed)

Judge Vinod Boolell

Dated this 13th day of May 2015

Entered in the Register on this 13th day of May 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi