



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

ACIEK

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

Counsel for the Applicant:

Alexandre Tavadian, OSLA

Daniel Trup, OSLA

Counsel for the Respondent:

Susan Maddox, ALS/OHRM

Introduction

1. The Applicant serves as an Office Assistant, in the State Coordinator's Office at the United Nations Mission in South Sudan (UNMISS). He is stationed in Bor, and holds a fixed-term appointment at the GS4 level.

2. On 26 June 2014, the Applicant filed an Application with the United Nations Dispute Tribunal in Nairobi to challenge the decision of the Assistant Secretary-General for Human Resources Management (ASG/OHRM) to place a written reprimand on his file.

3. The Applicant contends that the impugned decision was based on an investigation that did not "adhere to the standards that would be reasonably expected." By way of remedy, the Applicant seeks the removal of the reprimand from his Official Status File.

4. The Respondent filed his Reply to the Application on 29 July 2014.

5. On 11 August 2014, the Applicant filed his comments in response to the Respondent's Reply.

6. On 12 February 2015, the Tribunal issued Order No. 061 (NBI/2015) urging the Parties to have the matter resolved *inter partes* or seek a referral to Mediation.

7. On 9 March 2015, the Parties informed the Tribunal that "it appears that the matter cannot be settled or mediated."

8. On 24 April 2015, the Tribunal issued Order No. 124 (NBI/2015) directing the Parties to make joint submissions on facts and issues, and indicate how many witnesses they respectively intend to call at trial.

9. The Parties filed their submission on 5 May 2015.
10. On 15 May 2015, the Tribunal issued Order No. 176 (NBI/2015) setting the matter down for hearing on 17 June 2015.
11. On 10 June 2015, the Applicant filed the subject Motion of the present decision for leave to discontinue proceedings in this matter.

ORDER

12. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *Aciek v Secretary General of the United Nations* (UNDT/NBI/2014/054) be struck off the Court's docket.

(Signed)

Judge Vinod Boolell

Dated this 11th day of June 2015

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

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi