



**Before:** Judge Vinod Boolell

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

NYAGAMUKENGA

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON THE APPLICANT'S  
MOTION TO WITHDRAW  
PROCEEDINGS**

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**Counsel for the Applicant:**  
Robbie Leighton, OSLA

**Counsel for the Respondent:**  
Steven Dietrich, ALS/OHRM  
Alister Cumming, ALS/OHRM

### **The Application and Procedural History**

1. The Applicant is Language Assistant on a fixed term appointment at the FS5 level at the United Nations International Criminal Tribunal for Rwanda (ICTR).
2. On 11 June 2015, the Applicant filed an Application with the United Nations Dispute Tribunal (UNDT) in Nairobi challenging the Respondent's decision to recover education payments made to her for the periods 2010-2011, 2012-2013 and the subsequent decision to not pay her the education grant for the period 2013-2014.
3. On 8 July 2015, the Parties moved the Tribunal to suspend proceedings in this matter pending the outcome of ongoing informal settlement discussions.
4. On 13 July 2015, the Tribunal issued Order No. 237 (NBI/2015) granting the Parties' motion.
5. On 11 August 2015, the Parties moved for an extension of the time provided in Order No. 237 (NBI/2015).
6. On 11 August 2015, the Tribunal issued Order No. 252 (NBI/2015) granting the additional time requested.
7. On 11 September 2015, the Parties filed a motion for further extension of time.
8. On 15 September 2015, the Tribunal issued Order No. 289 (NBI/2015) granting the Parties' motion.
9. On 9 October 2015, the Applicant moved the court for leave to withdraw her Application before the Tribunal.

**Deliberations and Order**

10. The Tribunal commends and congratulates the Parties for having resolved this matter without recourse to litigation.

11. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *Nyagamukenga v Secretary General of the United Nations* (UNDT/NBI/2015/063) be struck off the Court's docket.

*(Signed)*

Judge Vinod Boolell

Dated this 13<sup>th</sup> day of October 2015

Entered in the Register on this 13<sup>th</sup> day of October 2015

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi