



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

CASTRO BERNADINO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

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

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 a Pharmacist on a continuing appointment at the P3 level at the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

2. On 18 August 2015, the Applicant filed an Application with the United Nations Dispute Tribunal (UNDT) in Nairobi challenging the Respondent's decision not to select her for a P3 Pharmacist post with the United Nations Mission in the Republic of South Sudan (UNMISS).

3. The Application was served on the Respondent with a deadline to file a Reply by 17 September 2015.

4. On 9 September 2015 and 15 October 2015, the Parties moved the Tribunal to suspend proceedings in this matter pending the outcome of ongoing informal settlement discussions.

5. On 17 September 2015 and 21 October 2015 vide Order Nos. 296 (NBI/2015) and 329 (NBI/2015) respectively, the Tribunal granted the Parties' requests.

6. On 29 October 2015, the Applicant moved the Tribunal for leave to withdraw her Application. The Applicant also "hopes that such withdrawal will not necessitate the publishing of a judgment in her name.

Deliberations and Order

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

8. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *Castro Bernadino v Secretary General of the United Nations* (UNDT/NBI/2015/090) be struck off the Court's docket.

9. The Applicant has provided no reasons for the redaction of her name from this Order and the Tribunal rejects her request to do so.

(Signed)

Judge Vinod Boolell

Dated this 30th day of October 2015

Entered in the Register on this 30th day of October 2015

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi