



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2015/113  
Order No.: 008 (NBI/2016)  
Date: 18 January 2016  
Original: English

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

WARE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON APPLICANT'S MOTION  
TO WITHDRAW HIS APPLICATION  
WITH PREJUDICE**

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**Counsel for the Applicant:**  
Nicole Washienko, OSLA

**Counsel for the Respondent:**  
Steven Dietrich, ALS/OHRM  
Nicole Wynn, ALS/OHRM

## **Introduction**

1. The Applicant is a Logistics Officer at the P-4 level at the United Nations Mission in Darfur (UNAMID) based in El Fasher, Sudan. On 9 November 2015, he filed an Application challenging the administrative decision not to implement his selection for the post of Logistics Officer at the P-4 level in United Nations Support Office for AMISOM (UNSOA) and the implied decision not to extend his appointment with the United Nations.

2. The Application was served on the Respondent on 10 November 2015 with a deadline to file a Reply to the Application by 14 December 2015.

3. On 4 December 2015, the Parties moved the Tribunal to suspend proceedings in this matter as they have been engaged in efforts to informally resolve the issues in this case. The Parties jointly request an adjournment of the proceedings in this case and to extend the deadline for the filing of the Respondent's Reply until 14 January 2016. The Tribunal granted the parties' motions in Order No. 387 (NBI/2015).

4. On 13 January 2016, the Applicant filed a Motion to withdraw his Application with prejudice because he had reached an amicable settlement of the matter with the Respondent.

## **Deliberations and Order**

5. The Tribunal commends the Parties for their proactive efforts in resolving this matter without recourse to litigation.

6. The Tribunal grants the Applicant's Motion to withdraw and dismisses his Application of 9 November 2015.

7. The matter of *Ware v The Secretary-General of the United Nations*, Case No. UNDT/NBI/2015/113, is struck off the Court's docket.

*(Signed)*

Judge Vinod Boolell

Dated this 18<sup>th</sup> day of January 2016

Entered in the Register on this 18<sup>th</sup> day of January 2016

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi