



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2016/005  
Order No.: 016 (NBI/2016)  
Date: 4 February 2016  
Original: English

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**Before:** Judge Nkemdilim Izuako

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

DE MASI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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

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

**Counsel for the Respondent:**  
ALS/OHRM

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

1. The Applicant is a former staff member of the United Nations Mission in the Republic of South Sudan (UNMISS) based in Juba, South Sudan. On 8 January 2016, she filed a Motion for extension of time to file an application contesting a decision not to grant her a Special Post Allowance and in the alternative, to consider her Motion for extension of time as a substantive application.

2. By Order No. 002 (NBI/2016), dated 13 January 2016, the Motion for extension of time to file an application was refused and the Applicant was ordered to file a revised/amended application no later than 29 January 2016.

3. On 29 January 2016, the Applicant moved the Tribunal for leave to withdraw her Application as she had successfully reached an informal settlement of the matter she sought to bring before the Tribunal. The Applicant submits that she appreciates that by not completing the Application she foregoes any right to further challenge the substantive decision subject to that partial application.

### **Deliberations and Order**

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

5. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *De Masi v Secretary General of the United Nations* (UNDT/NBI/2016/005) be struck off the Court's docket.

(Signed)

Judge Nkemdilim Izuako

Dated this 4<sup>th</sup> day of February 2016

Entered in the Register on this 4<sup>th</sup> day of February 2016

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi