



Before: Judge Goolam Meeran

Registry: Nairobi

Registrar: Abena Kwakye-Berko

MANLY-SPAIN

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

CASE MANAGEMENT ORDER

Counsel for the Applicant:

Daniel Trup, OSLA

Counsel for the Respondent:

Alister Cumming, ALS/OHRM

Introduction

1. On 4 August 2016, the Parties were informed that this matter has been transferred to the docket of Judge Goolam Meeran.
2. On 11 August 2016, the Tribunal issued Order No. 411 (NBI/2016) setting the matter down for a Case Management Discussion (CMD).
3. The CMD took place on 18 August 2016, in the presence of the Applicant and Counsel for both Parties.
4. The purpose of the CMD was to clarify and agree the issues in contention and to determine what further action, if any, was required in order to reach a judicial determination on the merits.

The Discussion

5. Both Parties stated that the record is complete and that no further particulars, documents or submissions are necessary. They also consented to the case being considered and determined on the basis of the documents on file.
6. In the course of discussion the Tribunal ascertained that the Applicant had received an extension of her contract and that she remained in employment with the United Nations Support Office for AMISOM (UNSOA).
7. The Applicant was motivated to bring this claim not simply because she had incurred a financial loss, but because of the manner in which the Respondent proceeded to recover the overpayments in question.
8. The Tribunal considered that in the interest of a continuation of an amicable and productive employment relationship the parties should consider the benefits of an alternative resolution to this dispute (ADR). The Applicant was amenable to engaging in good faith discussions and Counsel for the Respondent,

who had no instructions in relation to ADR, and requested time to seek such instructions.

IT IS ORDERED BY CONSENT THAT:

9. **All further proceedings are stayed until Friday 16 September 2016.**

10. **On or before Monday, 19 September 2016, both Counsel are to file a Joint Motion indicating whether agreement has been reached to resolve this matter, whether a modest extension of time is required to do so or whether it is agreed that the Tribunal should proceed to a judicial determination of all matters relating to this claim.**

(Signed)

Judge Goolam Meeran

Dated this 19th day of August 2016

Entered in the Register on this 19th day of August 2016

(Signed)

Eric Muli, for
Abena Kwakye-Berko, Registrar, Nairobi