



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2017/074  
Order No.: 057 (NBI/2019)  
Date: 7 May 2019  
Original: English

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**Before:** Judge Alexander W. Hunter, Jr.

**Registry:** Nairobi

**Registrar:** Abena Kwakye-Berko

APPLICANT

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON CASE MANAGEMENT**

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**Counsel for the Applicant:**

Daniel Trup, OSLA

**Counsel for the Respondent:**

Nicole Wynn, AAS/ALD/OHR

Nusrat Chagtai, AAS/ALD/OHR

## **Introduction**

1. At the time of the application, the Applicant was employed at the United Nations Mechanism for International Criminal Tribunals (MICT) and was based in Arusha.
2. On 18 August 2017, the Applicant filed an application challenging the decision(s) made in respect of the outcome of a complaint she filed pursuant to ST/SGB/2008/5 (Prohibition of Discrimination, Harassment including Sexual Harassment and Abuse of Authority) and the irregular process. The Applicant filed amended pleadings and additional documents on 12 October 2017.
3. The Respondent filed his reply to the application on 18 September 2017 and filed additional documents in support of the reply on 26 October 2017.
4. On 13 February 2019, the Tribunal, by its Order No. 011 (NBI/2019), set a deadline of 1 March 2019 for the parties to file a joint submission on the agreed and disputed facts, the legal issues and their views on how the matter should be disposed of i.e. by an oral hearing or on the papers.
5. On 19 February 2019, then counsel for the Applicant moved the Tribunal to extend the deadline to 26 March 2019. The Tribunal granted the motion and extended the deadline to 29 March 2019.
6. On 21 March 2019, Applicant's new counsel moved the Tribunal to extend the deadline to 19 April 2019 to better enable him to effectively contribute to the preparation of the joint submission due from the parties. The Tribunal granted the motion and extended the deadline to 23 April 2019.
7. The Respondent filed the joint submission on 23 April 2019.

8. The Tribunal has decided to hold a case management discussion (CMD) with the parties to discuss paragraphs 9 – 27 of the joint submission and to agree on the particulars of the oral hearing.

**Order**

9. The matter of Applicant v Secretary-General of the United Nations, Case No. UNDT/NBI/2017/074, is set down for a case management discussion at 0900 hours (NY time)/1600 hours (Nairobi time) on Tuesday, 4 June 2019, in the UNDT Courtroom in New York and the UNDT Boardroom in Nairobi.

10. In accordance with art. 16.4 of the Rules of Procedure, the parties or their duly designated representatives must be present at the CMD either in person or by electronic means. If a party intends to appear by electronic means, he/she should provide the Registry with his/her contact information including a land line telephone number.

*(Signed)*

Judge Alexander W. Hunter, Jr.

Dated this 7<sup>th</sup> day of May 2019

Entered in the Register on this 7<sup>th</sup> day of May 2019

*(Signed)*

Abena Kwakye-Berko, Registrar, Nairobi