



Before: Judge Rachel Sophie Sikwese

Registry: Nairobi

Registrar: Abena Kwakye-Berko

ICHA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE PARTIES' JOINT
MOTION**

Counsel for the Applicant:
George G. Irving

Counsel for the Respondent:
Elizabeth Gall, AAS/ALD/OHR

Introduction

1. The Tribunal held a case management discussion (CMD) on 18 November 2019.
2. During the CMD, the Parties declared readiness to explore the possibility of informally settling the case.
3. The Parties also indicated an interest in having the present case consolidated with another related Case No. 2019/UNDT/NY/066 that was recently transferred from the Nairobi Registry to the New York Registry. After consultations between the Nairobi and New York Registries, the consolidation was deemed unfeasible.
4. On 19 November 2019, the Tribunal issued Order No. 189 (NBI/2019) suspending the proceedings until 2 December 2019. The suspension was further extended to 9 December 2019.
5. On 9 December 2019, the Parties filed a motion to inform the Tribunal that they had failed to reach agreement on a settlement and requested that a CMD be reconvened to determine the best way forward to finalize the case.

Deliberation

6. Pursuant to art. 19 of the UNDT Rules of Procedure, the UNDT “may at any time, either on an application of a party or on its own initiative, issue any order or give any direction which appears to a judge to be appropriate for the fair and expeditious disposal of the case and to do justice to the parties”.

ORDERS

7. The request to consolidate this case with Case No. 2019/UNDT/NY/066 is refused.
8. The Parties’ request to reconvene another CMD is refused.

9. The Parties shall file final submissions, restricted solely to the legal issues for consideration, by 31 December 2019.

(Signed)

Judge Rachel Sophie Sikwese
Dated this 11th day of December 2019

Entered in the Register 11th day of December 2019

(Signed)

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