



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2019/092
Order No.: 034 (NBI/2020)
Date: 10 February 2020
Original: English

Before: Judge Agnieszka Klonowiecka-Milart

Registry: Nairobi

Registrar: Abena Kwakye-Berko

ZERVOS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Robbie Leighton, OSLA

Counsel for the Respondent:

Alan Gutman, AAS/ALD/OHR

Introduction

1. On 27 June 2019, the Applicant filed an application challenging the decision not to grant him a continuing appointment.
2. On 26 July 2019, the Respondent filed a reply where it is argued, among others, that the application is not receivable on the basis that the Applicant did not comply with the 60-day statutory deadline for requesting management evaluation of his matter.
3. On 28 November 2019, the Tribunal issued Order No. 201 (NBI/2019) requiring the Applicant to address in full the question of receivability as raised by the Respondent. The Applicant complied and filed the response on 10 January 2020.
4. In light of the submissions by the parties on the question of receivability and on merits, the Tribunal has decided to hold a case management discussion (CMD). The purpose of the CMD is to:
 - a. discuss the claims and issues, including receivability;
 - b. discuss any possibility for an amicable resolution of the case; and
 - c. hear the parties' position regarding the need for hearing witness evidence.

ORDER

5. A CMD in this case will take place on **25 February 2020 at 1530 hours** (Nairobi Time, UTC +3) in the UNDT Boardroom.
6. The parties or their duly designated representatives must be present at the hearing either in person or, where unavailable or where directed by the Tribunal, by electronic means. If a party intends to appear by electronic means, he or she should provide the Registry with his or her contact information including a land line, telephone number before the hearing.

7. At the CMD, the parties shall be prepared to articulate their position regarding a prospect of settlement and, for the eventuality that if such is not attainable, regarding arguments and evidence they put forth for the disputed facts.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 10th day of February 2020

Entered in the Register on this 10th day of February 2020

(Signed)

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