



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2019/006

Order No.: 106 (NBI/2020)

Date: 4 June 2020

Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye-Berko

MODEY-EBI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE PARTIES' MOTIONS
AND DEADLINE FOR FILING
CLOSING SUBMISSIONS**

Counsel for the Applicant:
George G. Irving

Counsel for the Respondent:
Elizabeth Brown, UNHCR
Francisco Navarro, UNHCR

Background

1. The Applicant is a former Deputy Regional Representative at the United Nations High Commissioner for Refugees' ("UNHCR") Regional Office in Pretoria, South Africa Office.

2. On 4 February 2019, she filed an application challenging the UNHCR High Commissioner's decision to dismiss her from service pursuant to staff rule 10.2(a)(ix) for serious misconduct.

3. The Tribunal held a case management discussion ("CMD") on 28 April 2020.

4. On 29 April 2020, the Tribunal issued Order No. 080 (NB1/2020) ordering, *inter alia*, that the Applicant submit a rejoinder to the Respondent's reply 13 May 2020 which he did.

5. The Respondent filed a response to the rejoinder on 20 May 2020. The Tribunal admitted the Respondent's submission into the case record.

6. On 22 May 2020, the Applicant sought leave to provide comments in response to the Respondent's response of 20 May 2020.

7. By joint motion dated 28 May 2020, the Respondent informed the Tribunal that he does not oppose the Applicant's motion but requested an opportunity to respond to any new facts and evidence. The Applicant also informed the Tribunal that should her 22 May 2020 motion be granted, that she considered that an oral hearing would not be necessary.

ORDERS

8. The Applicant's motion dated 22 May 2020 is granted. The Applicant shall file her comments in response to the Respondent's response of 20 May 2020 by 5 June 2020.

9. The Respondent shall file a surrejoinder to the Applicant's comments by 12 June 2020.

10. The parties shall file their closing submissions by 3.00 p.m. (Nairobi time) on 19 June 2020.

(Signed)

Judge Margaret Tibulya

Dated this 4th day of June 2020

Entered in the Register on this 4th day of June 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi