



UNITED NATIONS DISPUTE TRIBUNAL

Case Nos.: UNDT/NBI/2020/026/R1

Order No.: 081 (NBI/2023)

Date: 15 May 2023

Original: English

Before: Judge Agnieszka Klonowiecka-Milart, Duty Judge

Registry: Nairobi

Registrar: Abena Kwakye-Berko

LARRIERA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON THE APPLICANT'S MOTION
FOR WITHDRAWAL**

Counsel for the Applicant:

George Irving

Counsel for the Respondent:

Nicole Wynn, AS/ALD/OHR, UN Secretariat

Maureen Munyolo, AS/ALD/OHR, UN Secretariat

Facts and Procedure

1. On 2 April 2020, the Applicant filed an application challenging the Respondent's decision to reject her claim for compensation under Appendix D to the Staff Rules as a surviving spouse of a staff member killed in the course of official duties on 19 August 2003.
2. The Tribunal dismissed the application as not receivable in Judgment No. UNDT/2021/110.
3. The Applicant appealed the said Judgment to the United Nations Appeals Tribunal ("UNAT") and, on 28 October 2022, UNAT issued Judgment No. 2022-UNAT-1271 in which the appeal was granted and Judgment No. UNDT/2021/110 was reversed.
4. On 27 January 2023, the Tribunal issued Order No. 021 (NBI/2023) in which it remanded the case to the Advisory Board on Compensation Claims ("ABCC") for a reconsideration of the Applicant's claim as a surviving widow of the deceased staff member.
5. On 12 May 2023, the Applicant filed a motion to withdraw her claim because of ABCC's decision to waive the deadline to file her claim on an exceptional basis under Appendix D and to award her a surviving spouse benefit.

ORDERS

6. The Tribunal hereby **GRANTS** the Applicant's Motion and **ORDERS** that the matter of *Larierra v Secretary-General of the United Nations* (UNDT/NBI/2020/026/R1) be struck off the Court's docket.

(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this 15th day of May 2023

Entered in the Register on this 15th day of May 2023

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi