



**Before:** Judge Sean Wallace  
**Registry:** Nairobi  
**Registrar:** René M. Vargas M., Officer-in-Charge

TOMECI

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER ON  
CASE MANAGEMENT**

---

**Counsel for Applicant:**

George Irving

**Counsel for Respondent:**

Wei Zhuang, DAS/ALD/OHR, UN Secretariat

## **Introduction**

1. On 22 August 2023, the Applicant, a staff member of the United Nations Mission in South Sudan, filed an application before the Dispute Tribunal challenging the 30 June 2023 decision of the Under-Secretary-General for Management Strategy, Policy and Compliance, to impose upon him the disciplinary measure of separation from service with compensation in lieu of notice for serious misconduct.
2. The Respondent filed a reply on 27 September 2023.
3. The Applicant filed a rejoinder to the reply on 26 March 2024.
4. The parties then engaged in discussions about the possibility of resolving the matter amicably. To this effect, the Tribunal suspended proceedings until 28 June 2024 at the parties' request.
5. On 13 June 2024, the parties informed the Tribunal that an amicable resolution is not feasible.

## **Consideration**

6. The Tribunal considers that a case management discussion ("CMD") would facilitate fair, efficient and expeditious management and disposal of this case.
7. At the CMD, the Tribunal and the parties will:
  - a. Identify the factual and legal issues to be determined;
  - b. Consider if the case may be decided on the basis of the parties' written submissions; and
  - c. Discuss any other matter relevant to these proceedings.

**Conclusion**

8. In view of the foregoing, it is ORDERED THAT the parties shall attend a CMD on **Thursday, 18 July 2024 at 4 p.m. (Nairobi time)** using Microsoft Teams.

*(Signed)*

Judge Sean Wallace

Dated this 4<sup>th</sup> day of July 2024

Entered in the Register on this 4<sup>th</sup> day of July 2024

*(Signed)*

René M. Vargas M., Officer-in-Charge, Nairobi