



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

WYNN

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER  
ON CASE MANAGEMENT**

---

**Counsel for Applicant:**  
Self-Represented

**Counsel for Respondent:**  
Jérôme Blanchard, HRLU/UNOG

## Introduction

1. On 3 July 2023, the Applicant filed an application that the Tribunal disposed of by Judgment *Wynn* UNDT/2024/029. This Judgment is currently under appeal before the United Nations Appeals Tribunal (“UNAT”).

2. On 6 May 2024, the Applicant filed another application, registered under Case No. UNDT/NBI/2024/032, to contest a decision she describes in the following terms:

On 3 November 2023, Ms. Bibi Rabea Damaree, informed me that I would receive USD 9143.52 for education grant advance which excluded certain fees which should have been deemed admissible as enrolment-related.

3. On 6 August 2024, the Tribunal, noting that most, if not all, of the issues in the present case are the same as those addressed in Judgment *Wynn* UNDT/2024/029, proposed to the parties to stay the proceedings in Case No. NBI/2024/032 awaiting the outcome of the above-mentioned appeal before UNAT.

4. On 12 August 2024, the Applicant submitted her comments on the Tribunal’s proposal opposing it contending that:

A stay of the proceedings would not be in the interest of fairness and justice or judicial economy. The merits of [Case No. UNDT/2024/032] have already been adjudicated in the Applicant’s favor in [*Wynn* UNDT/2024/029]. Neither the Tribunal’s nor the Parties’ resources would be wasted by proceeding to judgment in [Case No. UNDT/2024/032] or, in the alternative, limiting the adjudication of this case to those issues, if any, that the Tribunal believes diverge from [the case adjudicated in *Wynn* UNDT/2024/029].

Staying the instant proceedings would prejudice [her] and potentially increase economic damages. It would only serve to delay any payment that may be due to [her] if [she] prevail[s] in the instant case. For the Organization would have the right to appeal any judgment in [Case No. UNDT/2024/032] notwithstanding the outcome [of the] appeal [against *Wynn* UNDT/2024/029]. The Organization has not waived its right to appeal the judgment in this case and neither the Tribunal nor the Parties can predict the

reasoning of the Appeals Tribunal in its consideration of the [appeal against *Wynn* UNDT/2024/029] and whether or how it would affect the instant case.

5. On the same day, the Respondent filed his comments stating that he did not object to the Tribunal's proposal, as the present case raises the same issues that have been disposed of in *Wynn* UNDT/2024/029.

### **Consideration**

6. The Tribunal observes that most, if not all, of the issues in the present case are the same as those currently under appeal. It would not be in the interest of judicial economy or efficiency to proceed with this case when those issues may be definitively resolved in the pending appeal.

7. Regarding the Applicant's concerns of suffering some prejudice, the Tribunal notes that any prejudice due to delay occasioned by the stay of proceedings can be addressed by adding interest to any sums that may ultimately be awarded.

### **Conclusion**

8. In view of the foregoing, it is ORDERED THAT the proceedings in Case No. UNDT/NBI/2024/032 are hereby suspended pending the outcome of the appeal against *Wynn* UNDT/2024/029.

*(Signed)*

Judge Sean Wallace

Dated this 14<sup>th</sup> day of August 2024

Entered in the Register on this 14<sup>th</sup> day of August 2024

*(Signed)*

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