



Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

CHIMSORO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for Applicant:

Ron Mponda

Counsel for Respondent:

Elizabeth Brown, UNHCR
Louis Lapicerella, UNHCR

Introduction and Procedural History

1. On 28 June 2024, the Applicant filed an application challenging his separation from service with compensation in lieu of notice and without termination indemnity for sexual misconduct.
2. On 15 August 2024, the Respondent filed his reply.
3. On 10 October 2024, the Tribunal issued Order No. 142 (NBI/2024) informing the parties that it considered it appropriate to hold a hearing on the merits in this case, directing the parties to file their lists of witnesses and their expected testimony by 24 October 2024 and directing the parties to inform the Tribunal of their availability for a Case Management Discussion (“CMD”) on 7 November 2024.
4. On 24 October 2024, the parties filed their responses to Order No. 142. The Respondent filed his list of witnesses and confirmed participation in the CMD as proposed.
5. In his response to said Order, the Applicant’s Counsel informed the Tribunal that he was having difficulties obtaining instructions from his client and requested a deferral of the date of provision of his witness list. He, however, indicated that he is available for a CMD on 7 November 2024. The Applicant’s Counsel also proposed that the parties submit a “set of Agreed Facts/Disputed Facts ahead of time”.

Consideration and Conclusion

6. Having taken into consideration the parties’ responses to Order No. 142 (NBI/2024), it is ORDERED THAT:
 - a. The Applicant’s request to defer the date for submission of his witness list is granted, and he shall file the list by 10 a.m. (Nairobi time) on **7 November 2024**;

- b. The parties will attend a CMD on **7 November 2024** at 11 a.m. (Nairobi time);
- c. The subjects to be discussed at the CMD shall include scheduling a hearing and deciding the witnesses to be called by either party; and
- d. The Tribunal welcomes a submission from the parties with respect to the Applicant's observations about a "set of Agreed Facts/Disputed Facts".

(Signed)

Judge Sean Wallace

Dated this 25th day of October 2024

Entered in the Register on this 25th day of October 2024

(Signed)

Wanda L. Carter, Registrar, Nairobi