



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2024/018

Order No.: 18 (NBI/2025)

Date: 20 February 2025

Original: English

Before: Judge Sean Wallace

Registry: Nairobi

Registrar: Wanda L. Carter

NK

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON CASE MANAGEMENT
AND HEARING NOTICE**

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Anna Mildemberger, UNHCR

Jan Schrankel, UNHCR

Introduction

1. On 6 February 2025, the Tribunal issued Order No. 12 (NBI/2025), ordering, *inter alia*, that the parties consult and confirm with the Registry a date one day in February for the oral hearing of the case. The parties were further ordered to inform the Tribunal whether the witnesses' affidavits filed will be used in place of direct testimony.

2. On 12 February 2025, the parties filed a joint submission in response to Order No. 12 (NBI/2025). The parties have agreed on Friday, 7 March 2025 as the date for the proposed hearing. The parties requested to use their witnesses' affidavits in lieu of examination in chief and reserve their rights to re-examine witnesses regarding any matters arising from cross-examination.

3. On 14 February 2025, the Applicant filed a Motion requesting a Case Management Discussion ("CMD") and requesting the Tribunal to correct para. 1(d)(i) of Order No. 12 (NBI/2025). (The Tribunal will clarify this issue at the proposed CMD.)

4. On 19 February 2025, the Respondent filed a response to the Applicant's Motion. The Respondent does not object to a CMD, but requests, in view of Counsel for the Respondent's unavailability prior to 28 February 2025, that such CMD be scheduled for either 3 or 4 March 2025. The Respondent does not object to the Applicant's motion for correction of Order No. 12 (NBI/2025) and considers the Applicant's concern to be moot. The Respondent proposes to prepare a joint trial bundle in consultation with the Applicant.

5. It is ORDERED THAT:

a. The Applicant's request for a CMD is granted. The CMD shall take place at **11 am** (Nairobi time) on **Tuesday, 4 March 2025**.

b. The virtual hearing of this case will take place from **11 a.m.** (Nairobi time) on **Friday, 7 March 2025**.

c. The parties' requests to use affidavits in lieu of examination in chief are granted. The parties may re-examine witnesses regarding any matters arising from cross-examination.

d. The parties shall file their agreed joint trial bundle by **5 p.m.** (Nairobi time) on **5 March 2025**.

(Signed)

Judge Sean Wallace

Dated this this 20th day of February 2025

Entered in the Register on this 20th day of February 2025

(Signed)

Wanda L. Carter, Registrar, Nairobi