



Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Nerea Suero Fontecha

KITAGAWA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Alan Gutman, ALD/OHR, UN Secretariat

Introduction

1. On 28 September 2018, the Applicant filed an application contesting the decision not to extend his fixed-term appointment as a Team Assistant in the Language and Communications Programme Learning, Development and Human Resources Services Division, Office of Human Resources Management (“OHRM”).
2. On 10 December 2018, the Respondent filed his reply.
3. On 3 April 2019, the case was reassigned to the undersigned Judge.

Consideration

4. Perusing the parties’ submissions, the Tribunal finds that the parties do not disagree on the material facts as set out in the application. Accordingly, since it appears that there are no substantive material issues of fact to be decided at a fact-finding hearing, it would seem appropriate for the Tribunal to decide the outstanding matters on the papers already on record.
5. Accordingly, pursuant to art. 19 of the Dispute Tribunal’s Rules of Procedure, for the fair and expeditious disposal of the case and to do justice to the parties,

IT IS ORDERED THAT:

6. **By 4:00 p.m., Tuesday, 28 May 2019**, the parties shall file a joint submission in which they will inform the Tribunal whether the parties agree to decide this case on the papers or request a hearing on the merits.

7. If the parties agree to decide this case on the papers, the Applicant is instructed to file his closing submission, based only on the evidence before the Tribunal, by **4:00 p.m., Friday, 31 May 2019**. The Respondent is instructed to file his closing submission, based only on the evidence before the Tribunal, by **4:00 p.m., Thursday, 6 June 2019**.

8. If the parties request a hearing on the merits of the case, the jointly filed submission shall also include the following:

- (i) Precise reason(s) why a hearing on the merits is necessary;
- (ii) An agreed bundle of documents which the parties intend to rely upon at the hearing. The bundle shall contain an index of the documents contained therein, with each page of the bundle clearly paginated;
- (iii) A list of witnesses each party intends to call, together with:
 - 1. A brief statement of the evidence each party intends to elicit from their proposed witness(es);
 - 2. A brief statement of the relevance of each proposed witness' testimony;
 - 3. A proposed order of appearance of each witness, confirming whether such appearance will be in person or remotely, and providing contact details;
 - 4. In the event some witness appearances are to occur remotely, a proposed time, taking into account the possible time difference

between the New York time zone and the zone where the proposed witness(es) is/are located; and

5. A proposed hearing date (or dates) in the period from 6 to 12 June 2019, and availability of each proposed witness.

(Signed)

Judge Alexander W. Hunter Jr.

Dated this 21st day of May 2019