



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2017/064

Order No.: 164 (NY/2019)

Date: 18 November 2019

Original: English

Before: Judge Joelle Adda

Registry: New York

Registrar: Nerea Suero Fontecha

ACQUATELLA CORRALES

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

Aleksandra Jurkiewicz, OSLA

Dorota Banaszewska, OSLA

Counsel for Respondent:

Susan Maddox, ALD/OHR, UN Secretariat

Matthias Schuster, ALD/OHR, UN Secretariat

Introduction

1. On 30 June 2017, the Applicant, an Economic Affairs Officer at the P-3 level, Economic Commission for Latin America and the Caribbean filed an application contesting the decision to separate him from service on the grounds of misconduct.
2. On 16 September 2019, pursuant to Order No. 118 (NY/2019), the parties filed a joint submission in which the Applicant requested a hearing in the matter.
3. On 2 October 2019, pursuant to Order No. 132 (NY/2019), the parties filed a joint statement confirming the availability of the Applicant and Ms. Fatima Da Acosta for a hearing on 20 November 2019.
4. By way of Order No. 135 (NY/2019)/Corr.1, the Tribunal ordered the parties to attend a hearing on 20 November 2019 in the courtroom of the Tribunal.
5. On 15 November 2019, the Applicant's counsel filed a motion to adjourn the hearing. The Applicant's counsel submits that she has been unable to contact the Applicant and confirm his presence during the upcoming hearing. The Applicant's counsel further states that she will continue to try and contact the Applicant in the coming weeks and inform the Tribunal immediately once the contact is established and provide reasoning for the loss in communication.
6. Pursuant to art. 19 of the Dispute Tribunal's Rules of Procedure and for a fair disposal of the case,

IT IS ORDERED THAT:

7. The motion to adjourn the hearing is granted. The parties are instructed to

attend a hearing at **10:00 a.m. on Thursday, 19 December 2019**.

8. The Applicant's counsel is to file a submission informing the Tribunal as soon as possible, or at the latest, by **10:00 a.m. on Monday, 9 December 2019** whether the Applicant maintains his claims and if so, an explanation for his lack of communication. In the event the Applicant maintains his claims, the submission should also confirm the Applicant's attendance at the hearing.

9. In the event that the Applicant further fails to comply with the Tribunal's Order, this application may be dismissed for want of prosecution in its entirety without liberty to reinstate.

(Signed)

Judge Joelle Adda

Dated this 18th day of November 2019