UNITED NATIONS DISPUTE TRIBUNAL

Case No.:	UNDT/NY/2022/019
Order No.:	050 (NY/2022)
Date:	26 May 2022
Original:	English

Before: Judge Joelle Adda

Registry: New York

Registrar: Morten Albert Michelsen, Officer-in-Charge

APPLICANT

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON WITHDRAWAL

Counsel for Applicant:
Omar Yousef Shehabi, OSLA

Counsel for Respondent:
Alister Cumming, UNICEF

Introduction

1. On 8 April 2022, the Applicant filed the application in which she challenged the decision to "divest" her "substantive, supervisory and leadership responsibilities". With the application, she also filed a motion for anonymity and redaction of personally-identifiable information.

2. On 9 May 2022, the parties filed a joint motion for suspension of proceedings. They explained that they were "engaged in settlement discussions" and requested "a brief suspension of the proceedings of one week to enable them to continue these discussions". Further, they requested the Tribunal to "extend the date for the Respondent's Reply until 18 May 2022", which was otherwise due on 11 May 2022.

3. Upon the Tribunal further suspending the proceedings and extending the deadline for the Respondent to file his reply, on 25 May 2022, the Applicant filed a motion to dismiss the present case. The Applicant explained that:

> … On 19 May 2022, the parties executed an agreement in full and final settlement of all outstanding claims, including those raised in the application in this case. On 20 May 2022, the parties filed a third joint motion to suspend proceedings through 26 May 2022 while the parties took steps to implement their obligations under the agreement. That process is ongoing.

Consideration

4. The Tribunal commends the parties for their successful settlement negotiations. In light thereof, the Tribunal also grants the Applicant's request for anonymity.

5. The Tribunal further notes that for it to dismiss the application, this would require a substantive review of case. As the parties have executed a full and final settlement agreement of all outstanding claim, this is, however, no longer relevant. Rather, the Tribunal will therefore close the case, because, for all intents and

purposes, the Applicant evidently now seeks to withdraw the claims that were otherwise pending before the Tribunal in the present case.

IT IS ORDERED THAT:

6. The Applicant's request for anonymity is granted;

7. There being no matter remaining for adjudication by the Dispute Tribunal, Case No. UNDT/NY/2022/019 is hereby closed.

(Signed)

Judge Joelle Adda

Dated this 26th day of May 2022