



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/038
Order No.: 040 (NY/2023)
Date: 26 May 2023
Original: English

Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Isaac Endeley

SCHEIBNER MESAS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON WITHDRAWAL

Counsel for Applicant:

Julia Kyung Min Lee, OSLA

Counsel for Respondent:

Nicole Wynn, AS/ALD/OHR, UN Secretariat

Maureen Munyolo, AS/ALD/OHR, UN Secretariat

Introduction

1. On 21 July 2022, the Applicant, an Administrative Officer with the United Nations Economic Commission for Latin America and the Caribbean (“ECLAC”), at the P-4 level, filed the application contesting the decision not to select him for the position of P-5 Senior Administrative Officer with the United Nations Global Service Centre in Brindisi, advertised through Job Opening No.144164 (the Position).
2. On 22 August 2022, the Respondent filed his reply submitting that the application is without merit as the Applicant was fully and fairly considered for the Position.
3. On 15 March 2023, the case was assigned to the undersigned Judge.
4. On 23 March 2023, the Respondent filed a Motion to Dismiss the Application arguing that it is moot. The Respondent informed the Tribunal that the Applicant’s claims regarding the decision not to select him for the Position are barred by the doctrine of *res judicata* as the Dispute Tribunal adjudicated these claims on 7 October 2022 in Judgment No. UNDT/2022/109.
5. On 30 March 2023, the Tribunal issued Order No. 024 (NY/2023) in which it instructed the Applicant to file a response to the Respondent’s motion.
6. On 17 April 2023, the Applicant filed a notice of withdrawal, informing the Tribunal that “[he] agrees that the non-selection decision for JO Opening No. 144164 was addressed in Judgment No. UNDT/2022/109.

IT IS ORDERED THAT:

7. As the Applicant has withdrawn the application, there being no matter remaining for adjudication by the Dispute Tribunal, Case No. UNDT/NY/2022/038 is hereby closed.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 26th day of May 2023

Entered in the Register on this 26th day of May 2023

(Signed)

Isaac Endeley, Registrar, New York