



Before: Judge Joelle Adda

Registry: New York

Registrar: Isaac Endeley

GARCIA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON WITHDRAWAL**

Counsel for Applicant:

Robbie Leighton, OSLA

Counsel for Respondent:

Halil Göksan, DAS/ALD/OHR, UN Secretariat

Introduction

1. On 2 February 2023, the Applicant, a Senior Security Officer at the S-3 level in the Department of Safety and Security based in New York, filed an application in which she contests the “[r]efusal to certify eligibility for return to work as of 27 May 2022 and refusal to adjust leave status from 27 May to 24 June to Special Leave with Full Pay”.

2. On 8 March 2023, the Respondent filed a reply submitting that the application has no merit.

3. By Order No. 051 (NY/2023) dated 6 July 2023 and reiterated in Order No. 079 (NY/2023) dated 11 September 2023, as relevant to the present Order, the Tribunal instructed the parties to (a) confer with a view to resolving the matters in the present case informally, and (b) file a jointly-signed statement informing the Tribunal whether they agreed to attempt informal resolution, and if so, request a suspension of the proceedings.

4. On 25 September 2023, the parties filed a jointly-signed statement by which they agreed to attempt informal resolution and requested the Tribunal to suspend the present proceedings for 20 days.

5. By Order No. 091 (NY/2023) dated 26 September 2023, the Tribunal suspended the proceedings for 20 calendar days.

6. By submission dated 13 October 2023, the Applicant withdrew the application, stating that,

... Pursuant to the terms and conditions of a confidential settlement agreement, the Applicant hereby withdraws her Application dated 2 February 2023 in Case No. UNDT/NY/2023/003 with prejudice. This withdrawal includes all the Applicant’s allegations and claims in Case No. UNDT/NY/2023/003.

... This is a full, final and entire withdrawal, including on the merits, with no right of reinstatement.

Case No. UNDT/NY/2023/003

Order No. 107 (NY/2023)

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 As the Applicant has withdrawn the application, there being no matter remaining for adjudication by the Dispute Tribunal, Case No. UNDT/NY/2023/003 is hereby closed.

(Signed)

Judge Joelle Adda

Dated this 16th day of October 2023

Entered in the Register on this 16th day of October 2023

(Signed)

Isaac Endeley, Registrar, New York