



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/033
Order No.: 130 (NY/2023)
Date: 17 November 2023
Original: English

Before: Judge Joelle Adda

Registry: New York

Registrar: Isaac Endeley

AGUILAR VALLE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON CASE MANAGEMENT

Counsel for Applicant:

George G. Irving

Counsel for Respondent:

Isavella Maria Vasilogeorgi, DAS/ALD/OHR, UN Secretariat
Marcos Zunino, DAS/ALD/OHR, UN Secretariat

Introduction

1. From 6 to 10 November 2023, the Tribunal conducted a hearing remotely via MS Teams and Zoom, as the Applicant and most of the witnesses were located away from the venue of the Tribunal.
2. On 17 November 2023, the recordings of the hearing were made available to the parties.

Consideration

3. At the hearing, the following witnesses provided testimony: the Applicant, VM, PA, LC and AB (all in English via MS Teams) and AJ, BP, VF, HA, RV, FD and AR (all in Spanish with Spanish-English interpretation via Zoom). VM had initially been scheduled to give testimony in Spanish, but due to technical problems, she agreed to do so in English, also with the consent of Counsel for both parties.
4. At the beginning of the hearing on 6 November 2023, the Tribunal asked the parties if the documents in the case file that were written in Spanish should be translated into English. The Tribunal explained that such translation was not needed for it to understand the relevant documents and that the Organization's translation services had stated that they currently had a backlog of a couple of months. If the relevant documents were to be translated, the Tribunal therefore advised the parties that the adjudication of the present case would likely be delayed accordingly. Both parties confirmed that the proceedings could continue, and the case could be decided, without translation of the relevant documents into English.
5. In light of the above,

IT IS ORDERED THAT:

6. By **4:00 p.m. on Monday, 4 December 2023**, the Applicant is to file his closing statement, which is to be seven pages maximum, using font Times New Roman, font size 12 and 1.5 line spacing. The closing statement is solely to be based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage;

7. By **4:00 p.m. on Monday, 18 December 2023**, the Respondent is to file his closing statement responding to the Applicant's closing statement at a maximum length of seven pages, using font Times New Roman, font size 12 and 1.5 line spacing. The closing statement is solely to be based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage;

8. By **4:00 p.m. on Wednesday, 27 December 2023**, the Applicant may file a statement of any final observations responding to the Respondent's closing statement. This statement of final observations by the Applicant must be a maximum of two pages, using font Times New Roman, font size 12 and 1.5 line spacing. It must be solely based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage.

9. Unless otherwise ordered, on receipt of the latest of the aforementioned statements or at the expiration of the provided time limits, the Tribunal will adjudicate on the matter and deliver judgment based on the papers filed on record.

(Signed)

Judge Joelle Adda

Dated this 17th day of November 2023

Entered in the Register on this 17th day of November 2023

(Signed)

Isaac Endeley, Registrar, New York