



Before: Duty Judge
Registry: New York
Registrar: Isaac Endeley

GOOD

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Jason Biafore, OSLA

Counsel for Respondent:

Tamal Mandal, AS/ALD/OHR, UN Secretariat

Introduction

1. On 9 November 2023, the Applicant, a staff member of the United Nations Secretariat based in New York, filed an application contesting “the Administration’s decision denying her request for income tax reimbursement for tax year 2019”.

2. The Respondent filed a reply on 11 December 2023 submitting that the application “has no merit” and that the contested decision was lawful.

3. By Order No. 037 (NY/2024) dated 27 March 2024, the Dispute Tribunal granted the parties’ joint motion seeking to suspend proceedings in this case pending a decision from the Appeals Tribunal in another case dealing with a similar question of law. The Dispute Tribunal also ordered the Applicant to file a rejoinder to the Respondent’s reply within four weeks following the publication of the Appeals Tribunal’s written judgment in the above-mentioned case and instructed that “[i]f a settlement agreement is reached within this period, the parties shall inform the Tribunal accordingly without delay”.

4. On 16 August 2024, the Appeals Tribunal published its written judgment in *Jackson* 2024-UNAT-1475.

5. On 13 September 2024, the parties filed a joint submission seeking “a further suspension of the proceedings in this case for 60 days (*i.e.*, until 12 November 2024) from the conclusion of the four weeks timeline prescribed in Order No. 037 (NY/2024) to enable settlement discussions”.

Considerations

6. Pursuant to art. 10.1 of the Dispute Tribunal’s Statute, the Tribunal “may suspend proceedings in a case at the request of the parties for a time to be specified by it in writing”.

7. The Tribunal notes that in their joint submission of 13 September 2024, the parties indicate that in *Jackson* 2024-UNAT-1475, the Appeals Tribunal denied the Administration’s appeal and upheld “the underlying [Dispute Tribunal] Judgment

principally relied upon by the Applicant in the instant matter” and that “the parties have conferred and agree to attempt informal resolution”.

8. The Tribunal agrees with the parties that the Appeals Tribunal’s Judgment in *Jackson* sets out the law in a manner that will likely also resolve the present application as both cases raise similar questions of law and involve similar facts.

9. Consequently, in the interest of judicial efficiency and in accordance with art. 10.1 of its Statute, the Tribunal agrees to further suspend the proceedings in this case for a period of 60 days.

IT IS ORDERED THAT:

10. The parties’ joint motion of 13 September 2024 is granted;

11. The proceedings before this Tribunal shall be suspended until 12 November 2024 to enable the parties to pursue settlement discussions;

12. If a settlement agreement is reached within this period, the parties shall inform the Tribunal accordingly without delay, and the Applicant shall confirm to this Tribunal, in writing, that her application is withdrawn.

13. If there is no settlement agreement by that deadline, the Applicant shall file a rejoinder, if any, to the Respondent's reply by **4:00 p.m. on Monday, 16 December 2024** at a maximum of five pages using font Times New Roman, font size 12 and 1.5 line spacing.

(Signed)

Judge Joelle Adda

Dated this 17th day of September 2024

Entered in the Register on this 17th day of September 2024

(Signed)

Isaac Endeley, Registrar, New York