



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/031/T
Order No.: 020 (NY/2025)
Date: 11 February 2025
Original: English

Before: Judge Solomon Areda Waktolla

Registry: New York

Registrar: Isaac Endeley

ROESKE

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON CASE MANAGEMENT

Counsel for Applicant:

Monika Ona Bileris

Counsel for Respondent:

Rebecca Britnell, UNHCR

Introduction

1. On 15 March 2024, the Applicant, a staff member of the United Nations Refugee Agency (“UNHCR”), filed an application contesting the decision not to reimburse her for the 2022 state and federal income taxes in the United States and not to pay for the estimated state and federal taxes for 2023.
2. Following a joint motion by the parties, the Tribunal issued Order No. 45 (NBI/2024) dated 18 April 2024 suspending the proceedings until 15 May 2024 to facilitate informal settlement discussions and ordering the Respondent to file his reply by 24 May 2024 if no settlement agreement was reached.
3. On 13 May 2024, the Applicant notified the Tribunal that she had retained new counsel as of 10 May 2024.
4. On 17 May 2024, the Applicant filed a motion to amend her application, and a separate motion for change of venue from Nairobi to New York.
5. Both motions were served on the Respondent on 21 May 2024. The Respondent filed his response to the two motions on 28 May 2024.
6. On 24 May 2024, the Respondent filed his reply pursuant to Order No. 45 (NBI/2024) and art. 10.1 of the Dispute Tribunal’s Rules of Procedure.
7. By Order No. 069 (NBI/2024) dated 14 June 2024, the Tribunal ordered the Applicant to file her amended application by 28 June 2024, and the Respondent to file his reply to the amended application by 12 July 2024.
8. By the same order, the present case was transferred from the Nairobi seat to the New York seat of the Dispute Tribunal.
9. On 28 June 2024, the Applicant filed her amended application.
10. On 12 July 2024, the Respondent filed his reply to the amended application.
11. On 16 July 2024, the Applicant filed a motion for leave to file a rejoinder to the Respondent’s reply of 24 May 2024.

12. On 9 September 2024, the Applicant filed a motion for anonymity, and a separate motion for the redaction of Order No. 069 (NBI/2024).

13. By email through the Registry dated 9 September 2024, the Duty Judge informed the parties that the motions would be decided by the Judge of the Tribunal to whom the case would eventually be assigned. The Duty Judge also instructed the Respondent to file his response to the Applicant's motions by 19 September 2024.

14. On 18 September 2024, the Respondent filed his response to both motions.

15. The case was assigned to the undersigned Judge on 23 December 2024.

Considerations

16. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue any order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

17. Having considered the parties' submissions, the Tribunal has decided to conduct a case management discussion ("CMD") in this case. The purpose of the CMD shall be to identify, discuss and agree on the claims and issues in the case and generally to deal with any other matter which may facilitate a fair and expeditious disposal of the case and to do justice to the parties.

18. The topics to be addressed at the CMD will include:

- a. Pending motions and requests;
- b. Scope of the application;
- c. Receivability of parts of the amended application;

19. Other issues identified by the Tribunal.

20. In light of the above,

IT IS ORDERED THAT:

21. A CMD shall take place on **Monday, 3 March 2025 at 09:30 a.m. New York City time** via Microsoft Teams.

22. Counsel for the Applicant and Counsel for the Respondent shall attend the CMD. The Registry will provide a link to access the meeting.

(Signed)

Judge Solomon Areda Waktolla

Dated this 11th day of February 2025

Entered in the Register on this 11th day of February 2025

(Signed)

Isaac Endeley, Registrar, New York