



are intended to be established with such additional documentary evidence. The Wilson  
statement, however, in another UNDT statement, is not evidence within the meaning of  
these provisions. Thus, / r. 1a Ashni's motion is denied. Moreover, in a part requests,  
the Appeals Tribunal has discretion to take judicial notice of relevant judicial opinions.

7. Under the Appeals Tribunal Statute, / r. 1a Ashni is not entitled to file a response  
to the answer to his appeal. Moreover, Article 11 of the Rules and Section 10.1  
of the (a) Director No. 1 of the Appeals Tribunal to permit a party to file additional  
evidence after the filing of the answer if there are exceptional circumstances or do so.<sup>2</sup>  
Moreover, / r. 1a Ashni has not demonstrated the existence of exceptional  
circumstances to express his disagreement with the statements made by the  
Secretary-General in his answer. Thus, / r. 1a Ashni's motion for leave to file a response  
to the answer is also denied.

& S ( R ) \* ORD R D that / r. 1a Ashni's motions ARE DENIED.

& S ALSO ORD R D that the (e) Registrar shall not include the motions and annexes  
thereto, as well as the (e) respondent's comments thereon, in the case file.

Original and Authoritative Version Encl.

(Signed)

Dated this 22<sup>nd</sup>