

---

**UNITED NATIONS DISPUTE TRIBUNAL**

**Case No:** UNDT/NEI/2022/080  
**Order No:** 089(NEI/2023)  
**Date:** 1 March 2023  
**Original:** English

---

**Before**

## **Introduction**

**1 On 16 February 2023, the Tribunal issued Order No 042 (NBI/2023), and among other things, decided that:**

- a by 28 February 2023, the Respondent specify if a sanction was imposed on Mr. Juan C. Curillea and in the positive, submit the sanction letter issued to him,**
- b by the same date, 28 February 2023**

**5 Further, in compliance with paragraph 10(b) of Order No 042(NEI/2023), the Applicant filed submissions in connection with his health. The supporting documents include medical reports and bills, filed ex parte, and requested that they be admitted into evidence.**

**6 On 28 February 2023, the Respondent, in reaction to the Applicant's ex parte filings, submitted a request indicating that if the Tribunal intends to rely on the Applicant's ex parte evidence, he requests for the opportunity to respond to this evidence.**

### **ORDERS**

**7 The Tribunal has reviewed the parties' submissions highlighted above and having in mind rules 161 and 2 of the Rules of Procedure of the UNDI, decides as follows:**

- a The 11 April 2022 sanction letter of Mr. Curillea shall be shared with the Applicant, but under seal.**
- b The Applicant's motion to comment on Mr. Curillea's sanction letter is granted. The comments shall be filed together with his closing submissions.**
- c The Applicant's motion for the Tribunal to reconsider its decision on oral hearing is rejected. The motion does not provide any reasons to modify the previous decision contained in Order No 042(NEI/2023).**
- d The Respondent's request to respond to the Applicant's evidence filed ex parte is granted. The Respondent shall file his comments together with his closing submissions.**

**8 The Tribunal decides that no additional documents or motions shall be accepted in this case.**

**Case No: UNDI/NEI/2022/080**

**Order No: 059(NEI/2023)**

**(Signed)**

**Judge Francesco Buffa**

**Dated this 1<sup>st</sup> day of March 2023**

**Entered in the Register on this 1<sup>st</sup> day of March 2023**

**(Signed)**

**Eric Muli, Legal Officer, for  
Abera Kwalye Berko, Registrar, Nairobi**