UNITED NATIONS DISPUTE TRIBUNAL

Case No.:	UNDT/NY/2015/035 UNDT/NY/2015/0 2
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ORDER

ON CASE MANAGEMENT

Counsel for Applicant:
Se*f5!e8!ese)‰e"

Counsel for Respondent:
A*a) 6-%9a)1 ALS/O0R : 1 UN Se&!e‰a!(a%

Introduction

1. T+e A88*(&a)% +as %2o se8a!a%e '-% !e*a%e" a88*(&a%(o)s !eg(s%e!e" -)"e! Cases No. UNDT/NY/2015/035 a)" UNDT/NY/2015/0 2. B; O!"e! No. 213 #NY/201 $ "a%e" 8 Se8%e9'e! 201 1 %+e %2o &ases 2e!e &o)so*("a%e" ()%o a &o9'()e" 8!o&ee"()g.

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2. O) 12 ,-*; 201 1%+e T!('-)a* (ss-e" O!"e! No. 1 8 #NY/201 $ a)" O!"e! No. 1 < #NY/201 $ () Case No. 2015/035 a)" Case No. 2015/0 21 !es8e&%(4e*;. T+e o!"e!s 2e!e ("e)%(&a* () &o)%e)%. T+e 8a!%(es 2e!e o!"e!e" %o !es8o)" %o a)-9'e! of (ss-es *(s%e" () %+e o!"e!1 ()&*-"()g 2+e%+e! %+e; ag!ee" %o a%%e98% ()fo!9a* !eso*-%(o) of %+e 9a%%e!s a)" 2+e%+e! %+e %2o &ases s+o-*" 'e &o)so*("a%e" %+!o-g+ a) o!"e! fo! &o9'()e" 8!o&ee"()gs.

3. O) 20 ,-*; 201 1 %+e 8a!%(es f(*e" =o()%*;5s(g)e" s%a%e9e)%s () 'o%+ Case No. 2015/035 a)" Case No. 2015/0 2. T+e =o()%*;5s(g)e" s%a%e9e)%s !ea":

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?. O) 21 ,-*; 201 1%+e T!('-)a* (ss-e" O!"e! No. 1@@ #NY/201 $ a)" O!"e! No. 1@8 #NY/201 $1 "(!e&%()g %+e 8a!%(es %o g+ a) !O!"o()%9(!)3(O)2(!)3("e)4(!)3( )-19.5117(N)1.5

10. O) 2@ Se8%e9 'e! 201 1 af%e! %+e C : D1 %+e A88*(&a)% f(*e" a 9o%(o) !e>-es%()g %+e T!('-)a* %o f()" %+a% %+e Se&o)" 7a&%57()"()g Pa)e*Cs ()4es%(ga%(o) 2as Af!a-g+% 2(%+ s(g)(f(&a)% 8!o&e"-!a* (!!eg-*a!(%(esB 'e&a-se %+e Pa)e* +a")o% 'ee) 8!o8e!*; &o)s%(%-%e" a)" %o !e9a)" %+e &ase %o De8a!%9e)% of 6e)e!a* Asse9 '*; a)" Co)fe!e)&e : a)age9e)% #AD6AC : B$ fo! a)e2 fa&%5f()"()g ()4es%(ga%(o).

11. B; O!"e! No. 225 #NY/201 $ "a%e" 28 Se8%e9 'e! 201 1 %+e T!('-)a* a""!esse" %+e (ss-es !a(se" a% %+e C : D +e*" o) 2@ Se8%e9 'e! 201 . T+e T!('-)a* "(!e&%e" %+e Res8o)"e)% %o "(s&*ose %o %+e A88*(&a)% a) -)!e"a&%e" &o8; of %+e Se&o)" 7a&%57()"()g Pa)e*Cs !e8o!%1 2(%+ %+e a))e.es1 a*so () -)!e"a&%e" fo! 9. T+e T!('-)a* s&+e"-*e" %+e +ea!()g o) %+e 9e!(%s fo! a o)e5"a; +ea!()g o) O&%o'e! 201 1 as %+(s 2as %+e o)*; "a%e a4a(*a'*e %o 'o%+ 8a!%(es as 8e! %+e(! =o()% P-e9a [illegible]

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20. O) ? O&%o'e! 201 1 %+e 8a!%(es f(*e" a =o()% s-'9(ss(o) 8-!s-a)% %o O!"e! No. 225 #NY/201 $. As 8a!% of %+e =o()% s-'9(ss(o)1 %+e Res8o)"e)% ("e)%(f(e" %+!ee 2(%)esses a)" a%%a&+e" s(g)e" s%a%e9e)%s of e4("e)&e. T+e A88*(&a)%1 +o2e4e!1 s%a%e" +e +a" 8!e4(o-s*; !e>-es%e" se4e) 2(%)esses #%+!ee of 2+o9 F : s. No4(&3(#&+a(! of %+e 7(!s% 7a&%57()"()g Pa)e*$1 : s. Lo!eg)a!" #S8e&(a* Ass(s%a)% %o %+e U)"e!5Se&!e%a!;56e)e!a*1 D6AC : $1 a)" : !. Sse3a)"(#9e9'e! of %+e Se&o)" 7a&%57()"()g Pa)e*$ F 2e!e %+e sa9e ()"(4("-a*s &a**e" '; %+e Res8o)"e)%$ a)" %+a% +(s !e>-es% !e9a()e" 8e)"()g. T+e A88*(&a)% 8!o4("e")o s(g)e" s%a%e9e)%s of e4("e)&e () !e*a%(o) %o a); of %+e 8e!so)s ("e)%(f(e" '; +(9.

21. O) 5 O&%o'e! 201 1 %+e A88*(&a)% f(*e" a 9o%(o) s%a%()g %+a% +(s A9o%(o) %o %+e D(s8-%e T!('-)a* Dof 1? Se8%e9'e! 201 E %o &a** %+e %2o o%+e! 9e9'e!s of %+e fa&%5f()"()g 8a)e*s a)" %+e !es8o)s('*e off(&(a* D(.e.1 : !. 6e%%-1 fo!9e! U)"e!5 Se&!e%a!;56e)e!a*1 D6AC : E as 2(%)esses "-!()g %+e +ea!()g (s s%(** 8e)"()g 2(%+ %+e T!('-)a*.B 0e !e>-es%e" %+e T!('-)a* %o 8os%8o)e %+e +ea!()g s&+e"-*e" fo! O&%o'e! 201 1 s%a%()g %+a% %+e 8a!%(es +a" 8!e4(o-s*; ag!ee" %o +o*" a %2o5"a; +ea!()g.

22. O) 5 O&%o'e! 201 1 %+e Res8o)"e)% f(*e" a !es8o)se %o %+e A88*(&a)%Cs 9o%(o) of 5 O&%o'e! 201 . T+e Res8o)"e)% s-'9(%s %+a% +e "oes)o% ag!ee %+a% %+e!e (s a)ee" () a %2o5"a; +ea!()g a)" %+a% Aa +ea!()g of +a*f a "a; (s s-ff(&(e)% %o +ea! %+e %es%(9o); of %+e 2(%)esses ("e)%(f(e" '; %+e Res8o)"e)% () %+e ,o()% S-'9(ss(o) "a%e" ? O&%o'e! 201 .B T+e Res8o)"e)% a*so o'=e&%e" %o %+e A88*(&a)%Cs 9o%(o) %o &a** a""(%(o)a* 2(%)esses.

Consideration

23. T+e A88*(&a)%s 9o%(o) of 1? Se8%e9'e! 201 2as "(s&-sse" a% %+e C : D +e*" o) 2@ Se8%e9'e! 201 . B; O!"e! No. 225 #NY/201 $ "a%e" 28 Se8%e9'e!