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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2023/008  
Order No.: 122 (NY/2023)  
Date: 2 November 2023  
Original: English

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**Before:** Judge Rachel Sophie Sikwese

**Registry:** New York

**Registrar:** Isaac Endeley

FUSCO

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER  
ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Robbie Leighton, OSLA

**Counsel for Respondent:**

Alister Cumming, UNICEF

## **Introduction**

1. On 1 November  
with the participation of the Applicant and Counsel for both parties, as per Order  
No. 113 (NY/2023) of 23 October 2023.
  
2. At the CMD, the parties agreed that the main issues for consideration in this  
case are:
  - (a) Whether the application is not receivable

(a) Communications between the UNICEF Human Resources Office and Hiring Managers regarding priority consideration for the Applicant who was facing termination; and

(b) Communications

7. **By 3:00 p.m. on Friday, 1 December 2023**, the parties shall file their respective closing submissions, which shall include any relevant observations on the documentation filed under Order No. 061 (NY/2023) and para. 6 above. The submissions shall not exceed seven pages, using font Times New Roman, font size 12 and 1.5 line spacing.

*(Signed)*

Judge Rachel Sophie Sikwese

Dated this 2<sup>nd</sup> day of November 2023

Entered in the Register on this 2<sup>nd</sup> day of November 2023

*(Signed)*