



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2021/058

Order No.: 004 (NY/2023)

Date: 26 January 2023

Original: English

Before: Judge Francis Belle

Registry: New York

Registrar: Morten Michelsen, Officer-in-Charge

DRAGNEA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER
ON CASE MANAGEMENT**

Counsel for Applicant:

Michael Horn, Archer & Greiner, PC

Counsel for Respondent:

Yehuda Goor, AAS/ALD/OHR, UN Secretariat

Introduction

1. By Order No. 2 (NY/2023) of 9 January 2023, the Tribunal instructed the parties, *inter alia*, to file their respective written closing submission, which they did on 16 January 2023.
2. On the same day, the Applicant filed a motion to “expand the record” in which she asks the Tribunal to consider “recent evidence related to the deleterious consequences of the [Notice of Reprimand (‘NOR’)]”.
3. On 18 January 2023, the Tribunal invited the Respondent to provide his comments on the Applicant’s motion, which he did on 23 January 2023.

Consideration

4. In his response, the Respondent informs the Tribunal that he “does not oppose the submission of additional evidence by the Applicant”. However, he contests the relevance of the documents attached to the Applicant’s motion.
5. In this respect, the Tribunal recalls that under art. 18.1 of its Rules of Procedure, the Tribunal shall determine the admissibility of any evidence and, under art. 18.2, it may order the production of evidence for either party *at any time*.
6. Considering that the Respondent does not object to the Applicant’s motion, the Tribunal sees no reason to reject it. Accordingly, the Tribunal finds it in the interest of justice to grant the Applicant’s motion and admit the new evidence into case record. The Tribunal will, nevertheless, decide during its deliberation what weight to attach to each document.
7. Having examined the parties’ submissions to date and the evidence on record, the Tribunal finds that it is fully informed on the matter. Consequently, the Tribunal will proceed to adjudicate the matter by Judgment.
8. Pursuant to art. 19 of the Tribunal’s Rules of Procedure, for a fair and expeditious disposal of the case, and to do justice to the parties,

IT IS ORDERED THAT:

9. The Applicant's motion is granted; and
10. The Tribunal will proceed to adjudicate the matter by Judgment.

(Signed)

Judge Francis Belle

Dated this 26th day of January 2023