



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case Nos. 2021-1588 & 2021-1589

Margaret Mary Fogarty & Spinardi *et al.*

(Respondents/Appellants)

v.

Secretary-General of the International Maritime Organization

(Appellant/Respondent)

ORDER No. 428 (2021)

1. On 25 June 2021, the United Nations Appeals Tribunal (Appeals Tribunal or UNAT) issued Judgment No. 2021-UNAT-1117 in the matter of *Margaret Mary Fogarty v. Secretary-General of the International Maritime Organization* (IMO), remanding the matter to IMO's Staff Appeals Board (SAB) to determine the jurisdictional question.
2. On 24 July 2021, the Secretary-General of the IMO filed an application for interpretation of Judgment No. 2021-UNAT-1117, and on 27 August 2021, Ms. Fogarty through Counsel filed her comments. This case was registered as Case No. UNAT-2021-1588.
3. Also on 24 July 2021, the Secretary-General of the IMO filed another application for interpretation of three other UNAT judgments from the 2019 Fall Session, namely, Judgment Nos. 2019-UNAT-949 (*Sheffer*); 2019-UNAT-957 (*Spinardi*); and 2019-UNAT-958 (*Dispert and Hoe*). Ms. Spinardi filed her comments on 4 August 2021, and Counsel for Mr. Sheffer, Ms. Dispert and Ms. Hoe filed joint comments on 27 August 2021. This case was registered as Case No. UNAT-2021-1589 (*Spinardi et al.*).
4. In light of the fact that both applications for interpretation raise the same issues about the effects of the UNAT judgments on the operations of IMO's internal justice system, especially the SAB, it is appropriate to consolidate the two cases, "for the fair and expeditious management of the case and to do justice to the parties".

IT IS HEREBY ORDERED that the appeals filed in Case Nos. 2021-1588 and 2021-1589 should be consolidated for all purposes.

Original and Authoritative Version: English

Dated this 6th day of October 2021
in Cape Town, South Africa.

(Signed)
Judge John Raymond Murphy,
Presiding

Entered in the Register on this 6th day
of October 2021 in New York, United States.

(Signed)
Weicheng Lin, Registrar