



**Before:** Judge Ebrahim-Carstens

**Registry:** New York

**Registrar:** Hafida Lahiouel

MATHIAS

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**JUDGMENT**

**ON WITHDRAWAL**

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**Counsel for Applicant:**  
Duke Danquah, OSLA

**Counsel for Respondent:**  
Robert Nadelson, UNDP

## **Introduction**

1. On 15 February 2012, the Applicant filed a motion for an extension of time of 30 days to file an application, in which she wished to contest the Administration's decision not to take action on her request to be moved from the purview of certain staff members, following her allegations of on-going workplace harassment and abuse of authority towards her.

2. By Order No. 38 (NY/2012) dated 2 March 2012, the Tribunal granted the requested time extension.

3. On 14 May 2012, the Applicant filed and served her application.

4. By motion dated 8 June 2012, the Respondent requested a two week extension to file his reply, on the grounds that the parties were currently engaged in settlement negotiations. By Order No. 121 (NY/2012) dated 21 June 2012, the Tribunal granted the requested time extension until 28 June 2012.

5. By motion dated 27 June 2012, the Respondent requested a further extension of time to file his reply by 20 July 2012. As reason, he reaffirmed that the parties were still engaged in settlement negotiations, but that Counsel for the Respondent would be on leave for two weeks until 15 July 2012. He noted that the Applicant agreed with his request. By Order No. 140 (NY/2012) dated 12 July 2012, the Tribunal granted the requested time extension until 20 July 2012.

6. By joint submission dated 19 July 2012, the parties informed the Tribunal that they had arrived at an amicable settlement of all outstanding claims related to the present case. Furthermore, they submitted for the consideration of the Tribunal the following form of words to be incorporated in the final Judgment disposing of the present case, "The parties informed the Tribunal that they have reached an agreement and that there are no outstanding claims arising from the present case. The Applicant advised the Tribunal of her decision to withdraw her application".

### **Consideration**

7. The Tribunal is satisfied that the parties have reached an amicable agreement in full and final settlement of the Applicant's claims of whatever nature and howsoever arising from these proceedings such as to clearly dispose of the merits of the case. Having received notice from the Applicant that she no longer wishes to pursue her case and that there are no outstanding claims arising from the present application, there remains no matter for adjudication by the Tribunal.

### **Conclusion**

8. In light of the Applicant's withdrawal of her application and there remaining no matter for adjudication by the Dispute Tribunal, Case No. UNDT/NY/2012/013 is hereby closed.

*(Signed)*

Judge Ebrahim-Carstens

Dated this 8<sup>th</sup> day of November 2012

Entered in the Register on this 8<sup>th</sup> day of November 2012

*(Signed)*

Hafida Lahiouel, Registrar, New York