



Before: Judge Coral Shaw

Registry: Nairobi

Registrar: Jean-Pelé Fomété

CLAUS

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

**ORDER ON WITHDRAWAL OF
APPLICATION**

Counsel for the Applicant:
Robert J. McIntyre

Counsel for the Respondent:
James Provenzano, UNOPS
Kong Leong Toh, UNOPS

Introduction

1. The Applicant is challenging the administrative decisions by the United Nations Office for Project Services (UNOPS) to both deny him separation benefits and violate his confidentiality by the alleged publication of his name and a highly prejudicial statement about the nature of his complaint.

Background

2. The parties were amenable to having the matter resolved by way of mediation and as such the Tribunal on 21 September 2012 issued **Order No.: 123 (NBI/2012)** referring the matter to the Mediation Division in the Office of the United Nations Ombudsman and Mediation Services for a period of thirty days.

3. On 17 October 2012, the Regional Ombudsman for Geneva requested an extension of time of one month which the Tribunal granted on 18 October 2012 by issuing **Order No.: 133 (NBI/2012)** which suspended the proceedings until 21 November 2012.

4. By letter dated 19 November 2012, the Director of Mediation Service, Mediation Division in the Office of the United Nations Ombudsman and Mediation Services sought another extension of time for a period of thirty days in which to complete the mediation. The Tribunal granted the extension by **Order No.: 151 (NBI/2012)**.

5. On 27 November 2012, the Applicant informed the Registry *via* email that an amicable agreement had been reached and therefore wanted to withdraw his case. Consequently, he filed a motion withdrawing the Application on 18 December 2012.

IT IS ACCORDINLY ORDERED THAT:

6. In light of the Applicant's withdrawal of his Application, there is no longer any matter for adjudication by the Dispute Tribunal.

7. The matter of *Claus v. the Secretary-General of the United Nations*, registered as case number UNDT/NBI/2010/035 be struck off the record.

Signed

Judge Coral Shaw.

Dated this 21st day of December 2012

Entered in the Register on this 21st day of December 2012

Signed

Jean-Pelé Fomété, Registrar, Nairobi.