



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2018/107

Order No.: 071 (NBI/2020)

Date: 17 April 2020

Original: English

Before: Judge Margaret Tibulya

Registry: Nairobi

Registrar: Abena Kwakye-Berko

GILES

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER ON CASE MANAGEMENT

Counsel for the Applicant:

Michael P. Giles, Esq.

Counsel for the Respondent:

Nicole Wynn, AAS/ALD/OHR

Nusrat Chagtai, AAS/ALD/OHR

Background

1. On 12 October 2018, the Applicant, a former FS-4 Security Officer with the United Nations Organization Mission in the Democratic of the Congo (“MONUSCO”), filed an application before the Dispute Tribunal contesting the Advisory Board on Compensation Claims’ (“ABCC”) letter of 29 December 2017 denying/discontinuing of an ABCC disability benefit. He filed an amended application on the same day.
2. The Respondent filed a reply on 13 December 2018 in which it is argued that the application is not receivable.

ORDERS

3. The Tribunal shall hold a case management discussion (“CMD”) commencing at 1545 hours on 20 April 2020 via video conferencing, details of which will be transmitted to the parties by the Registry. At the CMD, the parties should be fully prepared to discuss the following:
 - a. The essence of the claim and the core issues requiring factual determination by the Tribunal;
 - b. Relevant jurisprudence and administrative issuances the Tribunal should take into consideration;
 - c. Any motions that require immediate judicial intervention; and
 - d. Whether the case may be decided on the documents or whether an oral hearing is necessary.
4. Should the parties deem a hearing to be necessary, they should be able to:
 - a. Identify the witnesses to be called and provide a synopsis of their anticipated evidence;

- b. Agree on a date to file a paginated, agreed bundle of documents that will be referred to by the witnesses during the hearing; and
- c. Agree on dates during the week of 4 May 2020 for a hearing.

(Signed)

Judge Margaret Tibulya

Dated this 17th day of April 2020

Entered in the Register on this 17th day of April 2020

(Signed)

Abena Kwakye-Berko, Registrar, Nairobi