



UNITED NATIONS DISPUTE TRIBUNAL

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Case No.: UNDT/NY/2009/077/  
JAB/2009/035  
Order No.: 112 (NY/2010)  
Date: 23 April 2013  
Original: English

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**Before:** Judge Adams

**Registry:** New York

**Registrar:** Hafida Lahiouel

D'HOOGHE

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

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**Counsel for Applicant:**

Bart Willemsen, OSLA

**Counsel for Respondent:**

Stephen Margetts, ALS/OHRM, UN Secretariat

1. On 19 March 2010, the Tribunal rendered Judgment UNDT/2010/044, finding that the respondent failed to comply with the requirements of staff regulation 9.1 when terminating the applicant's appointment which was accordingly unlawful and in breach of his contract of employment. The parties were ordered to file submissions on the scope of the compensation hearing. The parties subsequently engaged in settlement discussions and on 23 April 2010 filed a joint submission stating –

The Parties ... have reach an agreement on the matter of compensation in full and final settlement and withdraw all allegations, claims and/or pleas set out in their pleadings in this proceeding that have not been finally determined by the Judgement.

...

Based on the foregoing, the Parties respectfully request that the Tribunal order that all allegations, claims and/or pleas set out in the Parties' pleadings that have not been finally determined by the Judgement be struck out.

2. Accordingly I order by consent that all allegations, claims and/or pleas set out in the parties' pleadings that have not been finally determined by Judgment UNDT/2010/044 are hereby struck out.

*(Signed)*

Judge Adams

Dated this 23<sup>rd</sup> day of April 2010