



Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Nerea Suero Fontecha

VELIZ

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

**ON MOTION FOR
RECONSIDERATION OF ORDER ON
MOTION FOR EXTENSION OF TIME
TO FILE AN APPLICATION**

Counsel for Applicant:
Self-represented

Counsel for Respondent:
ALD/OHR, UN Secretariat

Introduction

1. On 29 January 2019, the Applicant, a G-6 Training Assistant with the United Nations Joint Staff Pension Fund filed a motion for extension of time to file an application.

2. In this motion, the Applicant requested an extension of time on the grounds of “medical issues”, explaining that “[w]e are currently working a lawyer [sic] to develop a plan and would appreciate a 90 day extension”. The motion did not contain any further information or evidence in support of the extension.

3. On the same day (29 January 2019), the Tribunal acknowledged receipt of the motion and upon instructions of the undersigned Judge, directed the Applicant to submit full reasons for his request for an extension of time, including supporting evidence which consists of certified medical certificates by 4:00 p.m. on Wednesday, 30 January 2019.

4. The Applicant did not file any further submissions by the 4:00 p.m., 30 January 2019 deadline.

5. On 30 January 2019, the Tribunal issued Order No. 23 (NY/2019), dismissing the Applicant’s request for extension of time to file his application on the basis that the Tribunal was not satisfied that any “exceptional” circumstance within the meaning of art. 8.3 of the Dispute Tribunal’s Statute and art. 7.5 of the Dispute Tribunal’s Rules of Procedure existed in the case under review. The Tribunal determined that the Applicant had failed to demonstrate how his “medical issues” made it impossible for him to file an application in a timely fashion.

6. On 31 January 2019, at 1:19 p.m., the Applicant requested, by way of email, a reconsideration of the Tribunal’s decision in Order No. 23 (NY/2019). In support of his request, the Applicant provided two statements from his medical care providers dated 14 November 2018 and 6 December 2018 relating to his medical condition.

Consideration

7. Upon review of the Applicant's request for reconsideration of Order No. 23 (NY/2019) and the two statements provided by the Applicant dated 14 November 2018 and 6 December 2018 from his medical care providers, the Tribunal is of the view that the Applicant has not presented any evidence that the Tribunal misapprehended the law or facts in his earlier submission nor presented any newly discovered evidence that was unavailable at the time of the Applicant's earlier submission.

Conclusion

8. For the reasons stated above, the Applicant's request for reconsideration Order No. 23 (NY/2019) is dismissed.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 11th day of February 2019