



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/015
Order No.: 035 (NY/2025)
Date: 28 March 2025
Original: English

Before: Judge Solomon Areda Waktolla

Registry: New York

Registrar: Isaac Endeley

SAITO

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:

George G. Irving

Counsel for Respondent:

Miryoung An, DAS/ALD/OHR, UN Secretariat

Halil Göksan, DAS/ALD/OHR, UN Secretariat

Introduction

1. On 22 March 2024, the Applicant, a former Senior Investment Officer, Office of Investment Management (“OIM”), United Nations Joint Staff Pension Fund (“UNJSPF”), filed an application contesting the disciplinary measure of separation from service with compensation in lieu of notice and without termination indemnity dated 13 February 2024.
2. On 24 April 2024, the Respondent filed his reply contending that the application was meritless.
3. Following the Tribunal’s Order No. 069 (NY/2024) dated 20 June 2024, the parties filed a joint submission of consolidated lists of agreed and disputed facts on 8 August 2024. Each party also filed their separate submissions on evidence on 8 August 2024.
4. On 16 August 2024, the Respondent filed a motion for leave to respond to the Applicant’s submission on evidence dated 8 August 2024.
5. The case was assigned to the undersigned Judge on 23 December 2024.
6. Pursuant to Order No. 015 (NY/2025) dated 4 February 2025, a case management discussion (“CMD”) was held remotely via MS Teams on 12 February 2025 to discuss the case. At the CMD, the parties submitted that no oral hearing on the merits is necessary in this case.
7. Pursuant to Order No. 024 (NY/2025) dated 21 February 2025, the Respondent filed further submissions on evidence on 10 March 2025. The Applicant filed a rejoinder to the Respondent’s reply on 13 March 2025.

Considerations

8. Pursuant to art. 19 of the Rules of Procedure of the Dispute Tribunal, the Tribunal may at any time issue any order or give any direction which appears to be appropriate for the fair and expeditious disposal of a case and to do justice to the parties.

9. Having examined the parties' submissions, the Tribunal considers that it is fully briefed on the matter and is ready to adjudicate the case once the parties submit their respective closing statements.

10. In light of the foregoing,

IT IS ORDERED THAT:

11. By **4:00 p.m. on Monday, 7 April 2025**, the Respondent is to file a closing statement, at a maximum length of 10 pages, using font Times New Roman, font size 12 and 1.5 line spacing. The Respondent's statement is to include a detailed response to paras. 9 to 13 of the Applicant's rejoinder on the issue of the Applicant's alleged involvement in the disclosure of sensitive information. The Respondent is to list the sensitive information found to have been disclosed by the Applicant to external parties in his closing submissions. By doing so, the respondent must go beyond merely repeating prior paragraphs of pleadings and take a clear, assertive approach to highlight, identify, and specify what constitutes sensitive information.

12. By **4:00 p.m. on Monday, 14 April 2025**, the Applicant is to file a closing statement, at a maximum length of 10 pages, using font Times New Roman, font size 12 and 1.5 line spacing.

13. Unless otherwise ordered, upon receipt of the above submissions or at the expiration of the deadline, the Tribunal will proceed to adjudicate the case on the papers before it.

(Signed)

Judge Solomon Areda Waktolla

Dated this 28th day of March 2025

Entered in the Register on this 28th day of March 2025

(Signed)

Isaac Endeley, Registrar, New York