



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2025/006
Order No.: 061 (NY/2025)
Date: 9 July 2025
Original: English

Before: Duty Judge
Registry: New York
Registrar: Isaac Endeley

WILKINSON

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

**ON MOTIONS FOR EXTENSION OF
TIME, TO WITHDRAW A CLAIM AND
TO FILE A PARTIAL REJOINDER**

Counsel for Applicant:
Aly Ahmed, OSLA

Counsel for Respondent:
Miryoung An, DAS/ALD/OHR, UN Secretariat
Halil Göksan, DAS/ALD/OHR, UN Secretariat

Introduction

1. By Order No. 055 (NY/2025) dated 9 June 2025, the Tribunal instructed the parties to file, by 9 July 2025, (a) jointly signed statement with the consolidated lists of agreed and disputed facts in the present case, and (b) separate submissions indicating whether they wished to adduce any additional documentary or oral evidence.

2. On 16 June 2025, the Applicant filed a motion requesting a two-week extension of the deadline to file the submissions listed in para. 1 above, “[d]ue to the workload faced by both parties and the complexity of the case”. The Applicant also states that he consulted with the Respondent prior to filing the motion “and the Respondent indicated that they had no objections” to the request.

3. Also on 16 June 2025, the Applicant filed a separate motion seeking (a) to withdraw one of the claims asserted in his application regarding the organizational structure of the Office of Investment Management (“OIM”) within the United Nations Joint Staff Pension Fund (“UNJSPF”); and (b) “to be allowed to file a partial rejoinder to the Respondent’s reply” in relation to the reasons for placing the Applicant’s name on the ClearCheck database. He seeks to file this rejoinder “along with the other required submission from the Applicant as per the [Tribunal’s] Order No. 055 (NY/2025)”.

4. The Respondent did not file a response to either of the motions.

Considerations

5. 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.

6. Regarding the motion for extension of time, the Tribunal notes that in light of the justifications provided, an extension of two weeks would not be excessive and would not affect the proceedings as the case has not yet been assigned to a Judge. The Tribunal also takes note of the Applicant's assertion that the Respondent has no objections to the extension of time. Therefore, the Tribunal will grant this motion.

7. The second motion contains two requests. On the Applicant's request to withdraw a claim made in the application, the Tribunal considers that granting it will serve the interest of judicial economy by limiting the number of issues in contention. Therefore, the Tribunal will grant the request.

8. As concerns the Applicant's request to file a partial rejoinder, the Tribunal is inclined to grant him the opportunity to make his submissions regarding the ClearCheck database as those submissions may prove useful when presenting his closing statement which must be based solely on materials and evidence already on the case record. In the interests of fairness and justice, however, the Tribunal will also allow the Respondent the opportunity to comment briefly on the Applicant's rejoinder if he so wishes. Accordingly, the Tribunal will also grant the second request contained in the motion.

9. In light of the above,

IT IS ORDERED THAT:

10. The Applicant's motion for an extension of time until 23 July 2025 to comply with Order No. 055 (NY/2025) is granted.

11. The Applicant's motions to withdraw a claim and to be allowed to file a partial rejoinder to the Respondent's reply are granted.

12. The Applicant's rejoinder shall focus exclusively on the placement of his name on the ClearCheck database and shall be filed by 23 July 2025 along with the other submissions in compliance with Order No. 055 (NY/2025). It shall be a

maximum of three pages using font Times New Roman, font size 12 and 1.5 line spacing.

13. The Respondent, if he so wishes, may submit his comments on the rejoinder no later than 30 July 2025, at a maximum of two pages using font Times New Roman, font size 12 and 1.5 line spacing.

(Signed)

Judge Solomon Areda Waktolla

Dated this 9th day of July 2025

Entered in the Register on this 9th day of July 2025

(Signed)

Isaac Endeley, Registrar, New York