



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2010/042/
UNAT/1708
Judgment No.: UNDT/2010/152
Date: 20 August 2010
Original: English

Before: Judge Marilyn J. Kaman

Registry: New York

Registrar: Hafida Lahiouel

SIMPSON

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT OF WITHDRAWAL

Counsel for applicant:
Esther Shamash, OSLA

Counsel for respondent:
Susan Maddox, ALS/OHRM, UN Secretariat

Procedural history

1. On 1 July 2009, the applicant filed the application before the former UN Administrative Tribunal. On 31 December 2009, the respondent filed its answer.
2. On 1 January 2010, the case was transferred to the Dispute Tribunal following the abolishment of the Administrative Tribunal in accordance with the General Assembly's resolution 63/253 of 23 February 2009.
3. In Order No. 97 of 20 April 2010, the Tribunal ordered the applicant to file and serve a jointly-signed submission outlining the issues and facts of the case by 18 May 2010, which the applicant did on 20 May 2010.
4. On 7 June 2010, the applicant, on behalf of both parties, filed a motion requesting suspension of the proceedings pending settlement negotiations for four weeks. On 10 June 2010, the Tribunal (Judge Adams) directed the parties that the proceedings were suspended until 5 July 2010.
5. On 1 July 2010, the respondent, on behalf of both parties, filed and served a motion requesting that the proceedings be suspended for an additional four weeks. On the same day, the Tribunal (Judge Ebrahim-Carstens, duty judge) granted leave for the request for further suspension.
6. On 28 July 2010, the parties were informed by the UNDT Registry of New York that the case had been reassigned to the sitting Tribunal.
7. On 2 August 2010, the respondent, on behalf of both parties, requested that the proceedings be suspended until 9 August 2010. In Order No. 194 (NY/2010) of the same day, the sitting Tribunal granted leave to this request.
8. On 6 August 2010, the applicant filed and served a notice of withdrawal stating, *inter alia*, as follows:

The parties have now successfully concluded their settlement negotiations and have reached an agreement in full and final settlement of all claims and allegations set out in the Application, and the Applicant accordingly withdraws his Application to the Tribunal.

Conclusion

1. In light of the settlement agreement, the appeal is hereby withdrawn. This appeal having been withdrawn, there is no longer any matter for adjudication before the Tribunal.

(Signed)

Judge Marilyn J. Kaman

Dated this 20th day of August 2010

Entered in the Register on this 20th day of August 2010

(Signed)

Hafida Lahiouel, Registrar, New York