- 5. The Secretary-General relies on the Appeals Tribunal's Judgment in *Heftberger*, ² in which the Appeals Tribunal observed that non-receivable cases may be appropriately disposed of on summary judgment.
- 6. The Secretary-General argues that Mr. Turk's appeal should be dismissed on summary judgment because his appeal was filed on 13 May 2024, which is 22 months after the impugned Judgment was rendered. Accordingly, the Secretary-General submits, Mr. Turk's appeal is not receivable *ratione temporis*.
- 7. In the same Motion, the Secretary-General also requested that, pursuant to Article 30 of the Rules, the Appeals Tribunal suspend the deadline for the Secretary-General's answer in Case No. 2024-1920, which was due on 13 July 2024.
- 8. On 3 July 2024, the Motion was transmitted to Mr. Turk for his comments.
- 9. **OiTd() TijFyM2O28**9 Mitd**((e)**k 3ile(h)al 7d0 (ui) 2e.5t(tl) 6.4 (e) 7.7 (d) 0.9 (")] TJ-0.01 Td() T8 Tw 4.163 0 To

finality of a summary judgment[] must be informed of the possibility and permitted to make submissions about that outcome".³

- 13. The Secretary-General should also be aware that, pursuant to UNAT Practice Direction No. 1, paragraph 24, the usual time for comments on a motion is 10 days. As shown by the procedural history above, Mr. Turk's comments were due to the Appeals Tribunal on 13 July 2024, the *same day* that the Secretary-General's answer was due in Case No. 2024-1920. Given that both deadlines fell on a Saturday, both submissions were due on 15 July 2024.
- 14. Accordingly, to grant the Secretary-General's request for a suspension of the deadline to submit an answer would have required the Appeals Tribunal to ignore Mr. Turk's comments on the Motion. Although this issue is now moot, parties are reminded that they must file motions "as soon as reasonably possible" and should be cognizant of the Appeals Tribunal's procedures.
- 15. The Secretary-**GainejaD.i9viot2e**(c) **4:13a(h0x**009-ej-)7.7 00Tj0.4hoir6.8 (T)i(oej-8qS708 Tw w 0.3410.9

IT :	IS	HEREBY	ORDERED	that	the	$Secretary \hbox{-} General \hbox{'s}$	motion	of 2	July	2024 is
DE	NI	ED.								

Original and Authoritative Version: English

Decision dated this 18^{th} day of July 2024 in Beijing, China.

(Signed) Judge Gao Xiaoli, President

Order published and entered in the Register on this 18^{th} day of July 2024 in New York, United States.

(*Signed*) Juliet E. Johnson Registrar