



UNITED NATIONS DISPUTE T

Introduction

1. On 5 February 2010, Mr. David Andati-Amwayi, the Applicant's representative, made an application to strike out the response and for summary judgment to be entered in favor of the Applicant. He also applied for a transfer of the case to New York or Geneva on the grounds that there was a conflict of interest because the UNDT judge and the UNDT legal

Respondent for a concise response. Consideration was then to be given to holding a

11. Having explained at length, for the benefit of the Applicant, why it is important to comply with the Tribunal's Order, it is hoped that Mr. Andati-Amwayi and Mr. Atogo will reconsider the stance they have taken and comply with the Order so that a determination of the substantive merits of their claim can take place without further delay.

IN ALL THE CIRCUMSTANCES IT IS ORDERED THAT:

12. The Applicant be given a final extension of time to 5 pm (Nairobi time) on Wednesday 17 March 2010 to comply with Order No. 028.

13. The Respondent will be given until 5 pm (Nairobi time) on Monday, 22 March 2010, to provide their concise response of no more than three (3) pages as previously ordered.

14. A case management discussion will take place at 10 am on 24 March 2010, if deemed necessary.

15. The hearing on the merits of the claim will take place on 29 and 30 March 2010.

16. If the Applicant does not comply with this Order, his applications (UNDT/NBI/2009/02 and UNDT/NBI/2009/06) will be struck out in their entirety for failing to comply with an Order of the Tribunal, the primary purpose of which is to facilitate a fair hearing of the substantive issues in the claim.

Case Nos. UNDT/NBI/2009/02
UNDT/NBI/2009/06
Order No.: UNDT/NBI/O/2010/038

(Signed)

Judge Goolam Meeran

Dated this 15th day of March 2010

Entered in the Register on this 15th day of March 2010

(Signed)

Jean-Pelé Fomété, Registrar, UNDT, Nairobi