



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2010/26/  
UNAT/1675  
Order No.: 151 (NBI/ 2010)  
Date: 6 August 2010  
Original: English

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**Before:** Judge Nkemdilim Izuako

**Registry:** Nairobi

**Registrar:** Jean-Pelé Fomété

TISSOT

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER STRIKING OUT THE  
APPLICATION**

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**Counsel for applicant:**

Linda Saputelli

**Counsel for respondent:**

Emily Langston, ALS/OHRM, UN Secretariat

1. At the time of the contested decision, the Applicant was a Chief Administrative Officer at the United Nations Mission in the Democratic Republic of Congo (MONUC). The issue in this Application was whether compensation awarded to the Applicant by the administration pursuant to a Joint Appeals Board recommendation was adequate.

2. On 27 May 2010, the Parties were ordered to inform the Tribunal by 4 June 2010 of whether they were prepared to consider the option of mediation before consideration and determination of the present case<sup>1</sup>. The Tribunal further ordered that in the event that the Parties were not agreeable to exploring a mediated settlement, they were to submit their respective responses to questions contained in paragraph 5 of the said Order by 30 June 2010.

3. By a Motion dated 4 June 2010, the Respondent informed the Tribunal that discussions were ongoing between the Parties in this matter and requested the Tribunal to grant an extension of time until 30 July 2010 to allow the Parties sufficient opportunity to pursue those discussions. The request was granted on 29 June 2010. On 5 August 2010, the Parties filed a joint statement in the following terms:

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<sup>1</sup> UNDT Order No. 096 (NBI/ 2010)

**ORDER**

5. In view of the foregoing, the Tribunal hereby makes the following Order:

- (i) The present Application to withdraw is hereby granted.
- (ii) The case is accordingly struck out.

*(Signed)*

Judge Nkemdilim Izuako

Dated this 6<sup>th</sup> day of August 2010

Entered in the Register on this 6<sup>th</sup> day of August 2010

*(Signed)*

Jean-Pelé Fomété, Registrar, UNDT, Nairobi