



Before: Judge Ebrahim-Carstens
Registry: New York
Registrar: Morten Albert Michelsen, Officer-in-Charge

PRIBYTKOVA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON ABANDONMENT

Counsel for Applicant:

Lennox S. Hinds

Counsel for Respondent:

Alan Gutman, ALS/OHRM, UN Secretariat
Elizabeth Gall, ALS/OHRM, UN Secretariat

Introduction

1. On 21 March 2014, seven staff members in the Meeting and Publishing Division, Publishing Section of the Department for General Assembly and Conference Management (“DGACM”), filed a joint application contesting the decision to abolish their respective posts, effective 1 January 2014, resulting in the termination of their permanent appointme

economy. Following the CMD and the Tribunal's Order No. 194 (NY/2014), dated 15 July 2014, Applicants' Counsel filed a response on 11 August 2014 stating that Applicant Pribytkova "did not return Counsel's numerous telephone calls and email correspondence. Consequently, they are deemed to have abandoned and withdrawn their claims".

6. Pursuant to the Tribunal's direction in Order No. 304 (NY/2014), dated 6 November 2014, Applicants' Counsel filed, on 14 November 2014, a formal notice of abandonment "reiterating that Applicant Pribytkova has failed to respond [to] Counsel's correspondence and phone calls. As a consequence of Applicant Pribytkova's failure to respond Applicants' Counsel's repeated communications, Counsel is left with the inescapable conclusion that Applicant Pribytkova does not wish to pursue his claim and therefore does not maintain his legal action".

7. Considering that the Applicants' causes of action and relief are differently situated, for reasons of judicial economy and expeditious disposal, the Tribunal conducted a further CMD on 21 November 2014 to discuss whether the matter of Pribytkova should be separated from *Alsado et al.* in order to render a separate, final, and enforceable judgment or order on each cause or claim that is differently situated. Counsel for the parties agreed at the CMD that the various claims could be severed and considered individually.

8. In this respect, by Order No. 336 (NY/2014) dated 11 December 2014, the Tribunal ordered the case of Applicant Pribytkova be severed from *Alsado et al.* to be determined and/or disposed individually as

Conclusion

13. This matter is hereby dismissed for want of prosecution, without determination on the merits.

(Signed)

Judge Ebrahim-Carstens

Dated this 30th day of December 2014