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UNITED NATIONS DISPUTE TRIBUNAL

Case Nos.: UNDT/NY/2015/063  
Order No.: 136 (NY/2019)  
Date: 10 October 2019  
Original: English

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**Before:** Judge Joelle Adda  
**Registry:** New York  
**Registrar:** Nerea Suero Fontecha

NADEAU

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**  
**ON CASE MANAGEMENT**

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**Counsel for Applicant:**

Peter A. Gallo, Esq.

**Counsel for Respondent:**

Alan Gutman, ALD/OHR, UN Secretariat



energy and resources that could otherwise have been devoted to other cases. One of the reasons is that with no success the parties have previously tried to settle the case informally. While recognizing that informal resolution is an important tenet of the internal justice system, the Tribunal will therefore not allow any further unnecessary delays of its deliberations.

7. The Tribunal further notes that it is trite law that time limits are to be enforced strictly (see, for instance, the Appeals Tribunal in *Ali* 2017-UNAT-773, para. 13). This also includes the time limits that the Tribunal sets in its orders.

8. Finally, in accordance with its Statute, the Tribunal's function is not to argue the cases of the parties appearing before it. In many cases, when the proceedings have ended, the Tribunal will therefore order the parties to submit their closing statement. If the Tribunal orders a party to file a closing statement, but the party does not comply with this order, the Tribunal is generally left with no other option than concluding that this party wishes to abandon its case for want of prosecution.

IT IS ORDERED THAT:

9. The Respondent's motion of 7 October 2019 is rejected;

10. By **4:00 p.m. on Wednesday, 15 October 2019**, the parties are to file a joint submission in which they indicate (a) whether the perspectives for resolving the present case informally are realistic and (b) their agreement to suspend the proceedings;

11. If the parties do not agree on suspending the case for informal settlement negotiations:

a. By **4:00 p.m. on Monday, 21 October 2019**, the Applicant is to file his closing statement, which is solely to be based on the submissions and evidence on record. The statement is to be five pages maximum, using Times

