



World Bank Administrative Tribunal

2010

Order No. 2010-2

**Tamara Lansky,
Applicant**

v.

**International Bank for Reconstruction
and Development
and
International Finance Corporation,
Respondents**

**World Bank Administrative Tribunal
Office of the Executive Secretary**

**Tamara Lansky,
Applicant**

v.

**International Bank for Reconstruction
and Development
and
International Finance Corporation,
Respondents**

1. This order is rendered by the Tribunal, composed of Stephen M. Schwebel, President, and Judges Jan Paulsson, Florentino P. Feliciano, Francis M. Ssekandi, Ahmed El-Kosheri and Mónica Pinto. The Application was received on 7 June 2010.

2. The Applicant requests reconsideration of the Tribunal's judgment in *Lansky (No. 1 and No. 2)*, Decision No. 425 [2009], pursuant to Article XIII of the Statute of the Tribunal. The Applicant asks the Tribunal to reconsider its decision on the basis that she received, from the lawyer who represented her in her earlier proceedings, documents and information that she alleges were not available to her or the Tribunal at the time the judgment was rendered. The Applicant argues that the Tribunal would have reached a different conclusion had this newly discovered evidence been available to it at the time it rendered its judgment in Decision No. 425.

3. Article XIII(1) of the Statute of the Tribunal provides:

A party to a case in which a judgment has been delivered may, in the event of the discovery of a fact which by its nature might have had a decisive influence on the judgment of the Tribunal and which at the time the judgment was delivered was unknown both to the Tribunal and to that party, request the Tribunal, within a period of six months after that party acquired knowledge of such fact, to revise the judgment.

4. The Applicant obtained the allegedly new evidence from the lawyer she engaged to represent her during the earlier proceedings. The evidence was therefore known to the

Applicant or her lawyer before Decision No. 425 was rendered. The failure of the Applicant or her lawyer to submit relevant information in a timely manner does not constitute grounds for allowing the Applicant to recommence litigation that has already been completed. In any event, having reviewed the Applicant's submission, the Tribunal finds that the proffered evidence would not have had such a decisive influence as to warrant revision of Decision No. 425.

5. For these reasons, the Tribunal finds that the requirements of Article XIII have not been met and that the Application is devoid of all merit.

DECISION

The Tribunal decides that the Application be summarily dismissed.

/S/ Stephen M. Schwebel
Stephen M. Schwebel
President

/S/ Olufemi Elias
Olufemi Elias
Executive Secretary

At Paris, France, 29 October 2010