

**Summary of González Flavell (No. 10) v. IBRD (Preliminary Objection), Decision No. 610 [2019]**

The Applicant challenged the Administrative Review Panel (ARP) review of her claims against the Bank's Disability Administrator (the Reed Group), and the underlying claims submitted to the Reed Group. The Applicant's underlying claims were essentially that the Reed Group was negligent in handling her claims and that they wrongfully sent her a letter dated 7 June 2017.

The Bank raised a preliminary objection to the admissibility the Application, claiming that the Application was barred by *res judicata* or, in the alternative, that it was time-barred.

The Tribunal examined the facts and claims in *González Flavell (No. 2)*, Decision No. 570 [2017], and compared them to those in the present Application. In Decision No. 570 the Tribunal found that the Applicant could not, on one hand, decry the state of limbo which she created through her own actions and, on the other, petition to receive full pay for the period where she received benefits to which she was not entitled. The Tribunal, in Decision No. 570, also found that the decisions surrounding the Applicant's return to work were inadmissible, as she failed to exhaust internal remedies and they were then time-barred. The Applicant's remaining claims, in Decision No. 570, were either moot or devoid of all merit.

The Tribunal found that the Applicant's claims raised essentially the same issues as in Decision No. 570, and that she could not ask the Tribunal to re-examine decisions surrounding her return to work. According to the Tribunal, the Applicant's claims that the ARP did not consider and wrongfully consolidated her claims were completely devoid of all merit.

Having found that the Application was barred by *res judicata*, the Tribunal did not need to consider whether the Application should also be dismissed on the grounds that it was time-barred.

**Decision:** The Application was dismissed.