

Leaving aside the fact there is no "defence" here yet, what is Baldini's problem with them or the UNDT seeing that there were several drafts before a Referral Memo was sent out, prior to the report ever actually being investigated?

How does this impact on the rights of any accused person?

Baldini also knows that OIOS did not provide either the Defence or the UNDT with the complete investigation file anyway, so her point is a very tenuous one.

So, Baldini cannot add her own explanatory note to the case file because to do so would be "unprofessional" and violate her oath to the New York Bar..... but she wants ME to remove notes that I have already put on the case file because those notes may be discovered by the Tribunal and removing them - and thus concealing information from the Tribunal - is obviously something that is NOT unprofessional and is NOT unethical????

Forget the fact that 0392/12 was NOT an Investigation



{In Archive} NTF by Peter Gallo
Roberta Baldini to: Dan Wilson
Cc: Michael Dudley

15/08/2013 11:17 AM

History: This message has been replied to and forwarded.
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Dear Dan

Excellent punctuation here; precisely as was mentioned - by Baldini - in the draft PIP which she is so anxious to justify ex post facto.

I am very sad to have to write to you about this issue. *Sympathy, please* I recently discovered, 13 Aug 2013, that Peter has added to at least one, case file in Citrix, Notes to File, which are not related to the evidence relevant to a case, but personal attacks on me. Please see Citrix file 392/12 there are two NTF I gave you a hard copy, on 14 Aug 2013, illustrate the point.

I can only imagine that there are others. I want you, to ask Peter to identify all such NTF and ask that they be removed from Citrix. Not because they are attacks on me, but because they sabotage cases and have no place in the case file which is discoverable by the UNDT and the Defense. Further, it is a rather cowardly way of attacking me, in that I would not have known about these NTFs and cannot reply, unless I act in the same unprofessional manner as Peter, by placing my response in the case file. This is not only unprofessional, but violates the oath I have taken to put the Organization's interest above my own and the rules of the New York State Bar, of which I am a member in good standing, by placing in the evidence file documents which sabotage the case.

How can this "sabotage" a case if the purpose of a referral to pass the parcel to somebody else because OIOS has decided NOT to investigate it?

This is illogical.

Peter has never come to me to discuss these perceived slights, nor has he gone to my supervisor to complain. *No, but he did ask for the answers to 38 questions and she avoided speaking to him ever again.....*

Included for dramatic effect? What does the Oath is have to do with anything?

Given that upon becoming a UN staff member, Peter also signed the Oath of Loyalty and must adhere to the same staff Rules, this act should be investigated as misconduct. Therefore consider this e-mail a report of that misconduct.

It is unprofessional and lacks the judgement required of a P4 Investigator. *Unlike the great managerial judgement demonstrated by Baldini in dealing with this matter in the first place?*

In addition, last week I passed Peter going into Mia's cubicle and he used some rude words in reference to me. I did not hear clearly, but was told later. I just let you know about this because it is another example of Peter's unprofessional and hostile behaviour.

This is a classic example of HEARSAY.

I would like you as his supervisor to elevate this complainant to the USG.

Regards
Roberta

Having previously stated that this email is a report of misconduct, why did Baldini not just copy it to Lapointe herself? What is the purpose of involving Dan Wilson in the process?

Roberta Maria Baldini
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{In Archive} Re: NTF by Peter Gallo 

Dan Wilson to: Roberta Baldini

Cc: Michael Dudley

Bcc: Carman Louise Lapointe

15/08/2013 01:49 PM

Archive:

This message is being viewed in an archive.

Roberta...

As per your request I have forwarded your concerns to Carman. Unfortunately she is not in the office right now so it does not appear I will be able to deal with this matter until next week. Just to be up front with you I did take the liberty of speaking to Mia. She recalled the incident in question but did advise that Peter made no disparaging comments towards you or anyone else in ID. I also reviewed Peter's other files and could not see any other such emails. Notwithstanding I intend to question Peter if there are any more such documents on any other cases files. Also to be up front I did advise Carman (I gave her all the particulars and the emails to review) that, as matters currently stand, I see this as a significant performance issue more so than misconduct and one that I intend to appropriately address. I am, however, awaiting her instructions before proceeding on anything. If you feel the need to speak to Carman direct on this I certainly understand.

Dan

So, the complaint was initiated by Baldini, and she demands that Wilson report the matter to the Under-Secretary-General.

Dan Wilson:

*a) is aware of a history of prejudice and falsehoods on the part of Baldini,
b) expresses the view that the sarcasm does NOT constitute 'misconduct', and
c) confirms that the hearsay about the alleged "rude words" was NOT substantiated.*

What I do not understand is why Wilson goes along with what Baldini tells him to do. He was STILL willing to allow himself to be used to pass the report of alleged misconduct to Lapointe anyway, regardless of such minor legal niceties as:

*(1) the obligation that misconduct complaints be made in good faith, and
(2) that making a mala fide report of misconduct is itself misconduct, and
(3) that a complaint of misconduct must be supported by "information or evidence to support a reasonable belief that misconduct has occurred".*

Is it any wonder I have trouble identifying the "Integrity, Impartiality, Objectivity and Professionalism" that OIOS is supposed to have???

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{In Archive} Re: NTF by Peter Gallo

Michael Dudley to: Dan Wilson
Cc: Roberta Baldini

15/08/2013 02:12 PM

History: This message has been replied to.
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Dan,

My point is that by leaving some facts out it might seem different than the reality.

*What exactly is Dudley trying to say here?
Is he accusing his mean?*

Michael

Dan Wilson Well I spoke to her specifically on the matter. ... 08/15/2013 02:08 PM EDT

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From: Dan Wilson
To: Michael Dudley
Cc: Roberta Baldini
Date: 08/15/2013 02:08 PM EDT
Subject: Re: NTF by Peter Gallo

Well I spoke to her specifically on the matter. Not sure what else to say?

Dan

Michael Dudley Dan, Mia did have a bit more to say. 15/08/2013 02:07:15 PM

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From: Michael Dudley/NY/UNO
To: Dan Wilson/NY/UNO@UNHQ, Roberta Baldini/NY/UNO@UNHQ,
Date: 15/08/2013 02:07 PM
Subject: Re: NTF by Peter Gallo

Dan,

Mia did have a bit more to say.

Hold on a minute

Michael

Dan Wilson Roberta.... As per your request I have forward... 08/15/2013 01:48 PM EDT

To sum up: (1) Baldini says that she saw me go into Mia Kenny's cubicle and she SAW me speak, but did NOT hear what I said. Nevertheless, she says that she was later told that I had used "rude words" about her.

(2) Wilson speaks to Mia Kenny who says that I did NOT make any disparaging comments about anyone, and he informs Baldini in an email at 1:48pm.

(3) Within a minute, at 1:49pm, Dudley replies to tell Wilson that Mia Kenny had something more to say about it

QUESTION: How does Dudley know what Mia Kenny heard me say, or what she told Baldini, unless he spoke to her himself? He indicates he has information which does not correspond with DW's initial finding.

So, if Dudley spoke to her:

(1) WHY was he speaking to her? and

(2) If he has something substantive to add, why does he not come out and say what it is? .