EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Action brought on 13 December 2011 — ZZ v Commission

(Case F-133/11)

(2012/C 133/56)

Language of the case: German

Parties

Applicant: ZZ (represented by: P. Goergen, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the Commission's decision classifying the applicant, who was included in the reserve list of competition EPSO/A/17/04, notice of which was published before the entry into force of the new Staff Regulations, at grade AD6, step 2, under less favourable provisions.

Form of order sought

— Annul the applicant's classification in grade/step AD6/2 on the applicant's appointment as a probationer with effect from 1 April 2011;

— declare that, on an objective consideration of the applicant's professional experience and in accordance with the principles underlying other vacancy notices, and having regard to the principle of pay being commensurate with performance, the applicant is entitled to be classified at grade AD11/2, or, in any event, at another appropriate grade;

— in respect of the material damage caused to the applicant, award the applicant a sum — up to the date on which the decision on the applicant's classification at the grade appropriate to the applicant's professional experience and seniority is properly adopted — comprising the full difference (EUR 3 051,43 per month or an amount to be determined by experts) between the amounts corresponding to the applicant's classification in accordance with the recruitment decision and the classification to which the applicant would have been entitled, together with default interest to the date of the decision on the applicant's correct classification in grade, at the rate set by the European Central Bank;

— put the applicant in a position whereby pension and other entitlements arising from the applicant's employment relationship with the defendant are calculated or recalculated in the same way as they would have been had the applicant been correctly classified in grade — in accordance with the present application — and award the applicant the sum of EUR 10 000 for non-pecuniary loss, together with default interest at the rate set by the European Central Bank, from the date of the applicant's recruitment to the defendant, or alternatively from the date of the present application, until full payment;

— order the European Commission to pay the costs.

Action brought on 2nd January 2012 — ZZ v European Court of Auditors

(Case F-1/12)

(2012/C 133/57)

Language of the case: English

Parties

Applicant: ZZ (represented by: S. Rodrigues, A. Blot, A. Tymen, lawyers)

Defendant: European Court of Auditors

Subject-matter and description of the proceeding

The annulment of the decision of the Court of Auditors rejecting the request for compensation for the losses suffered.

Form of order sought

— Annul the Decision of 21 January 2011 rejecting his request for compensation for the losses suffered as a result of his retirement on invalidity pension;

— if necessary, annul the Decision of 22 September 2011 rejecting his complaint dated 1st March 2011;

— compensate the losses suffered;

— order the Court of Auditors to pay the costs.

Action brought on 10 January 2012 — ZZ v Frontex

(Case F-5/12)

(2012/C 133/58)

Language of the case: French

Parties

Applicant: ZZ (represented by: S. Pappas, lawyer)

Defendant: Frontex

Subject-matter and description of the proceedings

Application for annulment of the decision of Frontex imposing a penalty on the applicant and the decision dismissing him.

Form of order sought

— Annul the decision of 24 May 2011 dismissing the applicant;

— Annul the decision of 16 April 2011 imposing a penalty on him;

— Order Frontex to pay the costs.

Action brought on 16th January 2012 — ZZ v European Network and Information Security Agency (ENISA)

(Case F-7/12)

(2012/C 133/59)

Language of the case: English

Parties

Applicant: ZZ (represented by: L. Levi, A. Tymen, lawyers)

Defendant: European Network and Information Security Agency (ENISA)

Subject-matter and description of the proceedings

The annulment of the 2009 career report, the list of reclassification of the civil servants for 2010 and, if necessary, the annulment of the decision rejecting his demand on 17 October 2011.

Form of order sought

— The annulment of the Applicant's 2009 career development report;

— the annulment of the 16 November 2010 decision fixing the list of staff reclassified in the reclassification exercise 2010;

— if necessary, the annulment of the decision of 17 October 2011 rejecting the Applicant's complaint dated 16 June 2011;

— order ENISA to pay the costs.

Action brought on 20 January 2012 — ZZ v European Parliament

(Case F-9/12)

(2012/C 133/60)

Language of the case: French

Parties

Applicant: ZZ (represented by: L. Lévi and M. Vandenbussche, lawyers)

Defendant: European Parliament

Subject-matter and description of the proceedings

Application for an order that the European Parliament pay compensation for the material and non-material loss allegedly suffered by the applicant as a result of errors committed in the management of her reserve list

Form of order sought

— Recognise that the Parliament has non-contractual liability for the errors committed in the management of her reserve list;

— Pay compensation for the applicant's material loss evaluated, for the period from December 2003 to December 2011, at EUR 749 449,03, plus pensions funds, and for the subsequent period until the legal retirement age, at the monthly net payment amounts corresponding to the salaries fixed for officials in function group AD from grade AD 9 step 2, second year, taking account of the normal career of an official of that grade, supplemented by the corresponding contributions to the sickness fund. All to be increased by late-payment interest at the rate of the European Central Bank plus two points;

— Pay compensation for the non-material loss evaluated at EUR 70 000;

— Order the European Parliament to pay the costs.

Action brought on 15 February 2012 — ZZ v European Economic and Social Committee

(Case F-21/12)

(2012/C 133/61)

Language of the case: French

Parties

Applicant: ZZ (represented by: N. Lhoëst, lawyer)

Defendant: European Economic and Social Committee

Subject-matter and description of the proceedings

Annulment of the decision withdrawing the award of expatriation allowance to the applicant and retroactively seeking to recover that allowance.

Form of order sought

— Annul the decision of the Appointing Authority ('AA') of the EESC of 9 June 2011 withdrawing the award of expatriation allowance to the applicant with effect from 1 July 2010 and seeking to recover the expatriation allowance paid to him since that date;