

- set out to the Appointment Authority the effects of the annulment of the contested decisions and, in particular, the regrading of the applicant at grade A*10, step 4, and that with retroactive effect from 1 June 2004, the date on which the appointment decision of 27 October 2004 took effect;
- in the alternative, order the Commission to make good the damage suffered by the applicant as a result of not having been graded in A*10, step 4, from 1 June 2004, the date on which the appointment decision of 27 October 2004 took effect;
- order the defendant to pay the entire costs.

Pleas in law and main arguments

The pleas in law and main arguments raised by the applicant are identical to those raised in Case T-58/05 *Centeno Mediavilla and Others v Commission* ⁽¹⁾.

⁽¹⁾ OJ C 93 of 16.4.2005, p. 38.

Action brought on 26 July 2005 by Maurizio Caldarone against the Commission of the European Communities

(Case T-293/05)

(2005/C 229/79)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 26 July 2005 by Maurizio Caldarone, resident in Brussels, represented by Stéphane Rodrigues and Alice Jaume, lawyers.

The applicant claims that the Court should:

- set aside the decision of the Appointing Authority of 12 April 2005 answering the applicant's complaint and annulling the career development report drawn up for him for the period from 1 January 2003 to 21 August 2003;

- set out to the Commission the consequences of that annulment, in particular, the annulment of the career development report for 2003 for the subsequent period from 15 September 2003 to 31 December 2003, which was drawn up on the basis of the contested career development report;
- establish the non-contractual liability of the European Community incurred by virtue of the contested decision;
- award the applicant damages for the harm suffered, particularly in respect of non-pecuniary damage, in the amount of EUR 3 000;
- order the defendant to pay the entire costs.

Pleas in law and main arguments

The applicant, a Commission official, challenges with the present action his partial career development report for the period from 1 January 2003 to 21 August 2003, by alleging, *inter alia*, inconsistency between the assessments of the appraiser and the co-appraiser, and manifest errors of assessment. He further contends that there has been an infringement of the duty to give reasons, of the rights of the defence, and of the principles of good administration and legitimate expectations.

Action brought on 26 July 2005 by Jean-Marc Colombani against the Commission of the European Communities

(Case T-294/05)

(2005/C 229/80)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 26 July 2005 by Jean-Marc Colombani, resident in Brussels, represented by Stéphane Rodrigues and Yola Minatchy, lawyers.