

Form of order sought

- annul the individual decisions rejecting the applicants' requests that the Appointing Authority adopt transitional measures in order to ensure, in the context of the 2005 and subsequent promotion exercises, equal treatment and their acquired rights;
- Order the Commission of the European Communities to pay the costs.

Pleas in law and main arguments

In support of their action, the applicants put forward identical pleas to those put forward in Case F-47/06 ⁽¹⁾.

⁽¹⁾ OJ C 154, 1.07.2006, p. 25.

Action brought on 26 June 2006 — Baele and Others v Commission

(Case F-70/06)

(2006/C 190/67)

Language of the case: French

Parties

Applicants: Jan Baele (Beernem, Belgium) and others (represented by: S. Rodrigues and A. Jaume, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- Annul the refusal of the Appointing Authority to enter the applicants on the list of officials promoted to grades A*10 and B*10 under the 2005 promotion exercise such as those decisions implicitly result from Administrative Notice No 85-2005 of 23 November 2005;
- Inform the Appointing Authority of the consequences of annulling the contested decisions, and in particular the reclassification of the applicants' grades to grade A*10 with retroactive effect from 1 March 2005 or to grade B*10 with retroactive effect from 1 January 2005, as appropriate;
- In the alternative: (1) request the defendant to acknowledge that the applicants are eligible for promotion to grade A*10

or to grade B*10, as appropriate, on their next promotion and (2) order it to pay compensation for the loss suffered by the applicants as a result of not having been promoted to grade A*10 from 1 March 2005 or to grade B*10 from 1 January 2005, as appropriate;

- Order the defendant to pay the costs.

Pleas in law and main arguments

In support of their action, the applicants put forward pleas identical to those put forward in Case F-45/06 ⁽¹⁾.

⁽¹⁾ OJ C 143, 17.06.2006, p. 39.

Action brought on 26 June 2006 — Lebedef-Caponi v Commission

(Case F-71/06)

(2006/C 190/68)

Language of the case: French

Parties

Applicant: Maddalena Lebedef-Caponi (Senningerberg, Luxembourg) (represented by: F. Frabetti, lawyer)

Defendant: Commission of the European Communities

Form of order sought

- Annul the applicant's Career Development Report (CDR) for the period 1.1.2004 — 31.12.2004
- Order the Commission of the European Communities to pay the costs.

Pleas in law and main arguments

In support of her action, the applicant puts forward three pleas alleging:

- (1) infringement of the General provisions for implementing Article 43 of the Staff Regulations on the statutory and trade union staff-representatives, infringement of the principle of the protection of legitimate expectations and of the rule '*patere legem quam ipse fecisti*',