

**Action brought on 2 October 2006 — Sanchez Ferriz and Others v Commission**

(Case F-115/06)

(2006/C 294/130)

*Language of the case: French***Parties***Applicants:* Carlos Sanchez Ferriz (Brussels, Belgium) and Others (represented by: F. Frabetti, lawyer)*Defendant:* Commission of the European Communities**Form of order sought**

The applicant claims that the Civil Service Tribunal should:

- set aside the list of officials promoted under the 2005 promotion procedure in so far as that list does not include the applicants' names and, incidentally, annul the preparatory measures leading to that decision;
- in the alternative, annul the allocation of promotion points during the promotion procedure mentioned above, in particular, in consequence of the recommendations made by the promotion committees;
- order the defendant to pay the costs.

**Pleas in law and main arguments**

In support of their action, the applicants put forward five pleas, alleging:

- in the first, infringement of Article 45 of the Staff Regulations;
- in the second, infringement of the General Provisions implementing that article;
- in the third, infringement of the principle of non-discrimination and a manifest error of assessment;
- in the fourth, infringement of Articles 6 and 10 of Annex XIII to the Staff Regulations;
- in the fifth, infringement of the principles of the prohibition of arbitrary procedure and of the prohibition of the abuse of powers, and infringement of the obligation to state reasons.

**Action brought on 26 September 2006 — Buckingham and Others v Commission**

(Case F-116/06)

(2006/C 294/131)

*Language of the case: French***Parties***Applicants:* Anne Buckingham (Brussels, Belgium) and Others (represented by: N. Lhoëst, lawyer)*Defendant:* Commission of the European Communities**Form of order sought**

- annul the decision adopted by the Commission on 23 November 2005, published in Administrative Notices No 85-2005, in that it did not allocate any priority points to the applicants, officials in grade A\*12, recognising the work carried out in the interests of the institution for 2004;
- in so far as necessary, annul the express decisions of the Commission rejecting the complaints made by the applicants pursuant to Article 90(2) of the Staff Regulations;
- order the defendant to pay the costs.

**Pleas in law and main arguments**

The action is based on infringement of Articles 9 and 13 of the General Provisions for Implementing Article 45 of the Staff Regulations and, as a subsidiary plea, on the unlawfulness of the said provisions in that they result in discrimination and infringe Article 5(5) of the Staff Regulations.

**Action brought on 2 October 2006 — Loy v European Parliament**

(Case F-117/06)

(2006/C 294/132)

*Language of the case: Italian***Parties***Applicant:* Maddalena Loy (Rome, Italy) (represented by: A. Fratini, lawyer)*Defendant:* European Parliament