

4. Rules that the parties are to inform the Court within three months of the delivery of this judgment of the content of any agreement they may have reached, failing which, of their conclusions, with figures, as to the assessment of the loss sustained.
5. Dismisses the remainder of the action.
6. Reserves the costs.

(¹) OJ C 35 of 7.2.2004.

Judgment of the Court of First Instance of 15 March 2007
— **Dascalu v Commission**

(Case T-430/03) (¹)

(Officials — Appointment — Review of classification in grade and step — Application of the Court of Justice's case-law — Articles 5 and 31(2), the second paragraph of Article 32 and Articles 45 and 62 of the Staff Regulations)

(2007/C 95/73)

Language of the case: French

Parties

Applicant: Iosif Dascalu (Kraainem, Belgium) (represented by: N. Lhoest, lawyer)

Defendant: Commission of the European Communities (represented by: C. Berardis-Kayser, L. Lozano Palacios and H. Krämer, originally, and then by C. Berardis-Kayser and H. Krämer, Agents)

Re:

First, application for annulment of the Commission's decisions of 23 December 2002 and 14 April 2003 altering the applicant's classification in grade, in so far as they fix his classification in step on recruitment in Grade A6, first step, fix 5 October 1995 as the date on which they were to take pecuniary effect and do not re-establish the applicant's career in grade and, so far as may be necessary, an application for annulment of the decisions rejecting the applicant's complaints and, second, an application seeking compensation for the damage allegedly caused by those decisions.

Operative part of the judgment

The Court:

1. Annuls the Commission's decision of 14 April 2003 in so far as it fixes 5 October 1995 as the starting point of its pecuniary effects.

2. Rules that the Commission is to undertake a comparative examination of the applicant's merits and those of the officials promoted to Grade A5 since 16 April 1993, and then to Grade A4 since 16 January 1998.
3. Following that examination and if the Commission should be unable to award the applicant such promotion in grade as may appear justified, invites the parties to seek agreement as to appropriate compensation, taking into account, if appropriate, the application for damages by way of compensation made by the applicant.
4. Rules that the parties are to inform the Court within three months of the delivery of this judgment of the content of any agreement they may have reached, failing which, of their conclusions, with figures, as to the assessment of the loss sustained.

5. Dismisses the remainder of the action.

6. Reserves the costs.

(¹) OJ C 47 of 21.2.2004.

Judgment of the Court of First Instance (Third Chamber) of 14 March 2007 — Aluminium Silicon Mill Products GmbH v Council of the European Union

(Case T-107/04) (¹)

(Action for annulment — Dumping — Imports of silicon originating in Russia — Injury — Causal link)

(2007/C 95/74)

Language of the case: English

Parties

Applicant: Aluminium Silicon Mill Products GmbH (Zug, Switzerland) (represented by: A. Willems and L. Ruessmann, lawyers)

Defendant: Council of the European Union (represented by: M. Bishop, Agent, and by G. Berrisch, lawyer)

Intervener in support of the defendant: Commission of the European Communities (represented by: T. Scharf and K. Talabér Ricz, Agents)

Re:

Annulment of Council Regulation (EC) No 2229/2003 of 22 December 2003 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of silicon originating [in] Russia (O) 2003 L 339, p. 3).