

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Action brought on 16 April 2007 — Klug v European Medicines Agency

(Case F-35/07)

(2007/C 140/72)

Language of the case: German

Action brought on 20 April 2007 — Francesco Caleprico v Commission

(Case F-38/07)

(2007/C 140/73)

Language of the case: Italian

Parties

Applicant: Bettina Klug (London, United Kingdom) (represented by: G. Grupp, lawyer)

Defendant: European Medicines Agency

Parties

Applicant: Francesco Caleprico (Brussels, Belgium) (represented by: V. Guagliulmi, lawyer)

Defendant: Commission of the European Communities

Form of order sought

- Order the defendant to extend the applicant's contract of employment of 7 February 2002,
- order the defendant to pay the applicant damages for pain and suffering in the amount of EUR 200 000,
- order the defendant to annul the applicant's staff report from 31 December 2004 to 31 December 2006 and to decide anew in the light of the findings of the Tribunal.

Pleas in law and main arguments

The action is based on Article 12(a) Title II of the Staff Regulations of Officials (harassment). It alleges incorrect exercise of discretion regarding the applicant's staff report, infringement of the Agency's procedural rules on drawing up a staff report, and, as a result, that the Agency unlawfully failed to extend the applicant's contract of employment.

The applicant asserts in support of her action that owing to the harassment and lack of objectivity in the assessment of her work, her work deteriorated and thus her five-year contract was not extended.

Form of order sought

- declare Articles 12 and 13 of Annex XIII to the Staff Regulations inapplicable, as provided for in Article 241 EC, in that they are unlawful;
- annul the decision by which the appointing authority implicitly rejected the complaint submitted by the applicant against the decision of 12 June 2006;
- annul in part the decision of the Commission of 12 June 2006, in so far as the appointing authority established the applicant in grade AD6/2 rather than AD8/3;
- order the Commission to replace the contested part of the decision of 12 June 2006 with a part establishing the applicant in grade AD8/3 with retroactive effect (from 1 July 2006);
- order the Commission to pay the applicant all the amounts which he has not received on account of the unlawfulness of the contested decisions, plus interest due and becoming due;
- order the Commission to compensate all and any other damage suffered by the applicant as the Court of First Instance may deem fit in the present case;
- order the Commission to pay the costs.