

**Judgment of the Court of First Instance of 6 June 2007 —
Parlante v Commission**

(Case T-432/04) ⁽¹⁾

(Staff case — Officials — Promotion — Promotions procedure 2003 — Refusal of promotion — Award of promotion points — Consideration of comparative merits — Equal treatment — General implementing provisions of Article 45 of the Staff Regulations — Plea of illegality — Legitimate expectations)

(2007/C 170/38)

Language of the case: French

Parties

Applicant: Walter Parlante (Enghien, Belgium) (represented by: L. Vogel, lawyer)

Defendant: Commission of the European Communities (represented by: C. Berardis-Kayser and M. Velardo, acting as Agents)

Re:

Application for annulment of (1) the Appointing Authority's decision of 5 July 2004 rejecting the applicant's complaint against that same authority's decision to refuse him promotion to Grade C1 under the 2003 procedure and (2), in so far as it is necessary, the decision which was the subject of that complaint.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders each party to bear its own costs.

⁽¹⁾ OJ C 6, 8.1.2005.

**Judgment of the Court of First Instance of 6 June 2007 —
Davi v Commission**

(Case T-433/04) ⁽¹⁾

(Staff cases — Officials — Promotion — 2003 Promotion procedure — Decision not to promote — Award of promotion points — Consideration of the comparative merits — Equal treatment — General provisions for implementing Article 45 of the Staff Regulations — Plea of illegality — Legitimate expectations)

(2007/C 170/39)

Language of the case: French

Parties

Applicant: Angela Davi (Brussels, Belgium) (represented by: L. Vogel, lawyer)

Defendant: Commission of the European Communities (represented by: J. Currall, initially, and subsequently by C. Berardis-Kayser and M. Velardo, acting as Agents)

Re:

Application for annulment, first, of the Appointing Authority's decision of 2 July 2004 rejecting the applicant's complaint against that authority's decision not to promote her to Grade C2 for the 2003 promotion procedure and, secondly, in so far as necessary, of the original decision which was the subject of that complaint.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the parties to bear their own costs.

⁽¹⁾ OJ C 6, 8.1.2005.

**Judgment of the Court of First Instance of 6 June 2007 —
Walderdorff v Commission**

(Case T-442/04) ⁽¹⁾

(Staff cases — Officials — Promotion — 2003 Promotion procedure — Decision not to promote — Award of promotion points — Consideration of the comparative merits — Equal treatment — General provisions for implementing Article 45 of the Staff Regulations — Plea of illegality — Legitimate expectations)

(2007/C 170/40)

Language of the case: French

Parties

Applicant: Andrea Walderdorff (Brussels, Belgium) (represented by: L. Vogel, lawyer)

Defendant: Commission of the European Communities (represented by: J. Currall, initially, and subsequently by G. Berscheid and M. Velardo, acting as Agents)

Re:

Application for annulment, first, of the Appointing Authority's decision of 19 July 2004 rejecting the applicant's complaint against that authority's decision not to promote her to Grade A4 for the 2003 promotion procedure and, secondly, in so far as necessary, of the original decision which was the subject of that complaint.