

**Judgment of the Civil Service Tribunal (First Chamber) of
19 June 2007 — Davis and Others v Council**

(Case F-54/06) ⁽¹⁾

(Staff cases — Officials — Pensions — Weightings — Retirement after the entry into force of the version of the Staff Regulations applicable from 1 May 2004 — Application of weightings calculated on the basis of the average cost of living in the country of residence of retired officials — Transitional scheme — Abolition of weightings for pension rights acquired after the entry into force of the version of the Staff Regulations applicable from 1 May 2004)

(2007/C 183/83)

Language of the case: French

Parties

Applicants: Davis and Others (Bolton, United Kingdom) and three Others (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: Council of the European Union (represented by: M. Arpio Santacruz and I. Sulce, acting as Agents)

Re:

Annulment of the Council's decisions determining the applicants' pension entitlements, on the grounds that the portion of their pension entitlement acquired after 30 April 2004 is not multiplied by a weighting, and that the weighting by which the portion of their pension entitlement acquired before 30 April 2004 is multiplied differs from that by which the remuneration of officials in active employment in the United Kingdom or Denmark is multiplied.

Operative part of the judgment

The Tribunal:

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

⁽¹⁾ OJ C 154, 1.7.2006, p. 28.

**Action brought on 16 May 2007 — Wolfgang A. Mandt v
European Parliament**

(Case F-45/07)

(2007/C 183/84)

Language of the case: German

Parties

Applicant: Wolfgang A. Mandt (Kreuztal, Germany) (represented by: B. Kolb, lawyer)

Defendant: European Parliament

Form of order sought

- Annul the decision of 8 February 2007 to reduce the applicant's survivor's pension by 50 %;
- Order the defendant, with retrospective effect from 1 April 2006, and monthly henceforth, to pay the applicant the further 50 % of the survivor's pension of his deceased wife Gisela Neumann.

Pleas in law and main arguments

The European Parliament cut the applicant's survivor's pension as the widower of Gisela Neumann with reference to non-recognition of the Belgian decree of divorce which the deceased obtained against her first husband in 1995.

The claim is brought against the non-recognition of that decree and against Council Regulation No 2201/2203/EC of 24 November 2003. The applicant argues that he is the sole 'surviving spouse', since the marriage between himself and the deceased came into existence in a legally effective way (Art. 18 Annex VIII of the Staff Regulations).

**Action brought on 30 May 2007 — Tiralongo v
Commission**

(Case F-55/07)

(2007/C 183/85)

Language of the case: Italian

Parties

Applicant: Giuseppe Tiralongo (Ladispoli, Italy) (represented by: F. Sciaudone, R. Sciaudone and S. Frazzani, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- declare the present action admissible;
- order the Commission to provide the information and documents relating to the initial engagement of Ms X and to the successive extensions of her contract within the European Anti-Fraud Office (OLAF), and order Ms X to testify as a witness;