

**Operative part of the order**

1. *The action is dismissed as manifestly inadmissible.*
2. *The parties shall bear their own costs.*

<sup>(1)</sup> OJ C 10, 14.1.2006, p. 28.

**Action brought on 23 May 2007 — R v Commission****(Case F-49/07)**

(2007/C 199/96)

*Language of the case: French***Action brought on 23 March 2007 — Martin v Court of Justice****(Case F-28/07)**

(2007/C 199/95)

*Language of the case: French***Parties**

*Applicant:* Claire Martin (Luxembourg, Luxembourg) (represented by: D. Martin, lawyer)

*Defendant:* Court of Justice of the European Communities

**Form of order sought**

- annul the Appointing Authority's decision of 4 July 2006 appointing the applicant as a lawyer-linguist probationary official from 16 June 2006, inasmuch as it accorded her grade AD7;
- order that the applicant be classified in grade A\*10 corresponding to grade LA6 before the entry into force on 1 May 2005 of Council Regulation (EC, Euratom) No 723/2004 of 22 March 2004 amending the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities <sup>(1)</sup>, with retroactive effect from the date of her appointment on 16 June 2006;
- order the full reconstruction of the applicant's career with retroactive effect from the date of her appointment on 16 June 2006;
- order the defendant to pay the costs.

**Pleas in law and main arguments**

The applicant relies on very similar pleas in law to those relied on in Case F-37/07 <sup>(2)</sup>.

<sup>(1)</sup> OJ L 124, 27.4.2004, p. 1.

<sup>(2)</sup> OJ C 129, 9.6.2007, p. 28.

**Parties**

*Applicant:* R (represented by: O. Martins, lawyer)

*Defendant:* Commission of the European Communities

**Form of order sought**

- declare the application admissible;
- in so far as is necessary, order the annulment of the Commission's decision of 13 February 2007 dismissing the Applicant's complaint and claim for damages for loss suffered of 8 November 2006 and the decision of 19 December 2005;
- in so far as is necessary, declare the official's entire probationary period and all the measures produced in that connection void and/or order the annulment of all the preparatory and secondary measures or those which seek to extend the effect of the official's end of probationary period report of 10 January 2005 and, in particular, the so-called intermediate report of 11 August 2004, Ms X's memorandum of 13 April 2005 and Appointing Authority's act of reassignment of 3 March 2005;
- in so far as is necessary, order the partial annulment of the end of probationary period report of 10 January 2005 for a member of the temporary 'Research' staff, finalised on 18 May 2004, relating to the comments introduced by the countersigning officer;
- in so far as is necessary, order the annulment of Director General DG ADMIN's memorandum of 20 July 2005 dismissing the applicant's request for assistance, pursuant to Article 24 of the Staff Regulations, of 11 November 2004;
- hold the European Community liable by virtue of all of the contested decisions and measures and the Commission's unlawful conduct towards the applicant;
- grant the applicant, in any event, damages for loss suffered in the amount of EUR 2 500 000;
- order the Commission to pay the costs;
- in so far as is necessary, call on the Commission to take part in conciliation proceedings under Article 7(4) of Annex I to the Statute of the Court of Justice.