

Moreover, the applicant contends that this discrimination as well as the, in comparison with the applicant's allowance, higher allowance given to unmarried male seconded national experts (whether living in a relationship or not) leads to an infringement of Article 141 EC and the principle of equal pay for men and women as well as of Directive 2000/78/EC⁽¹⁾ and of the principle of proportionality.

(¹) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ 2000 L 303, p. 16).

Appeal brought on 5 July 2007 by Maddalena Lebedef-Caponi against the judgment of the Civil Service Tribunal delivered on 25 April 2007 in Case F-71/06 Lebedef-Caponi v Commission

(Case T-233/07 P)

(2007/C 211/74)

Language of the case: French

Parties

Appellant: Maddalena Lebedef-Caponi (Senningerberg, Grand Duchy of Luxembourg) (represented by F. Frabetti, lawyer)

Other party to the proceedings: Commission of the European Communities

Form of order sought by the appellant

- Annul the judgment of the Civil Service Tribunal of 25 April 2007 in case F-71/06;
- Grant the form of order sought by the applicant at first instance and, consequently, declare the appeal in Case F-71/06 admissible and well-founded;
- Alternatively, refer the case back to the Civil Service Tribunal;
- Make an order as to the costs, expenses and fees and order the Commission to pay them.

Pleas in law and main arguments

In her appeal, the applicant seeks the annulment of the judgment of the Civil Service Tribunal dismissing the action by which she sought the annulment of her Career Development Report (CDR) for the period 1.1.2004-31.12.2004.

In support of her appeal, the applicant submits that the Civil Service Tribunal has made errors of interpretation and assessment of the facts which led it to hold that the critical assessment of the applicant in the contested CDR was well-founded.

Action brought on 3 July 2007 — Koninklijke Grolsch v Commission

(Case T-234/07)

(2007/C 211/75)

Language of the case: Dutch

Parties

Applicant: Koninklijke Grolsch NV (represented by: M.B.W. Biesheuvel and J.K. de Pree, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- set aside in whole or in part the decision addressed to Grolsch, and in any event set aside that decision to the extent to which it is addressed to Grolsch;
- set aside or, in the alternative, reduce the fine imposed on Grolsch;
- order the Commission to pay the costs of the proceedings.

Pleas in law and main arguments

The applicant challenges the Commission decision of 18 April 2007 relating to a proceeding under Article 81 EC (Case No COMP/B-2/37.766 — Netherlands beer market), by which a fine was imposed on the applicant.

In support of its action the applicant puts forward three procedural heads of complaint. First, it argues that the proceedings were unreasonably lengthy, and that this amounted to an infringement of the principle that proceedings should be conducted within a reasonable period of time. Second, Grolsch submits that its rights of defence were infringed inasmuch as it was refused access to the other parties' replies to the statement of objection. Third, it claims that the principles of sound administration, including the principles of the duty of care and of the presumption of innocence, were infringed inasmuch as the Commission did not act impartially during the investigation, failed to take account of exonerating material, and conducted the investigation in an incomplete or negligent manner.