

Pleas in law and main arguments

By judgment of 5 July 2007 delivered in Case F-24/06 *Abarca Montiel and Others v Commission*, the Civil Service Tribunal annulled the decisions by which the Commission fixed the classification and remuneration of the applicants under their contracts as members of the contract staff. The applicants, former salaried employees under Belgian law, were taken on as nursery attendants following a change in the conditions of employment of other servants of the Communities.

The Commission's first plea in support of its appeal alleges an error of law by the Tribunal in so far as it failed to have proper regard for the scope of the principle of equality of treatment in its interpretation of the applicable provisions, in particular with regard to the approach followed by the Commission of including family allowances in the concept of remuneration.

The second plea alleges infringement of the principle that reasons must be stated in so far as the Civil Service Tribunal failed to rule on the concept of remuneration.

Appeal brought on 19 July 2007 by Commission of the European Communities against the judgment of the Civil Service Tribunal delivered on 5 July 2007 in Case F-25/06, *Ider and Others v Commission*

(Case T-361/07 P)

(2007/C 283/59)

Language of the case: French

Parties

Appellant: Commission of the European Communities (represented by: D. Martin and L. Lozano Palacios, Agents)

Other party to the proceedings: B. Ider (Halle, Belgium), M.-C. Desorbay (Meise, Belgium) and L. Noschese (Braine-le-Château, Belgium)

Form of order sought by the appellant

- Annul the judgment of the Civil Service Tribunal of 5 July 2007 in Case F-25/06;
- refer the case back to the Civil Service Tribunal;

— reserve the costs;

- in the alternative, annul the judgment of the Civil Service Tribunal of 5 July 2007 in Case F-25/06 and, in determining the present case itself, grant the forms of order sought by the defendant at first instance, and therefore, dismiss the action in Case F-25/06; order the defendant in the appeal to pay the costs.

Pleas in law and main arguments

By judgment of 5 July 2007 in Case F-25/06, *Ider and Others v Commission*, the Civil Service Tribunal (CST) annulled the decision by which the Commission fixed Ms Ider's remuneration under a contract for a member of the contract staff. The applicants, former salaried employees under Belgian law, were engaged as temporary members of staff entrusted with executive duties following a change to the regime applicable to other servants of the Communities.

The Commission's first plea in support of its appeal alleges an error of law in that the Civil Service Tribunal misconstrued the scope of the principle of equal treatment in its interpretation of the applicable provisions, in particular in relation to the definition used by the Commission to include family allowances in the definition of remuneration.

The second plea alleges breach of the principle of the obligation to state reasons in that the Civil Service Tribunal did not rule on the concept of remuneration.

Action brought on 17 September 2007 — Thomson Sales Europe v Commission

(Case T-364/07)

(2007/C 283/60)

Language of the case: French

Parties

Applicant: Thomson Sales Europe (Boulogne-Billancourt, France) (represented by: F. Goguel and F. Foucault, lawyers)

Defendant: Commission of the European Communities