

**Order of the Court of First Instance of 22 June 2009 —
Timmer v Court of Auditors**

(Case T-340/08 P) ⁽¹⁾

**(Appeal — Staff cases — Officials — Staff reporting — New
and substantial facts — Appeal manifestly inadmissible in
part and manifestly unfounded in part)**

(2009/C 233/30)

Language of the case: French

Parties

Appellant: Marianne Timmer (Saint-Sauves-d'Auvergne, France)
(represented by: F. Rollinger, lawyer)

Other party to the proceedings: Court of Auditors of the European
Communities (represented by: T. Kennedy, J.-M. Steiner and G.
Corstens, acting as Agents)

Re:

Appeal against the order of the Civil Service Tribunal of the
European Union (Second Chamber) of 5 June 2008 in Case F-
123/06 *Timmer v Court of Auditors*, not yet published in the
ECR, and seeking annulment of that order.

Operative part of the order

1. *The appeal is dismissed.*
2. *Ms Marianne Timmer is ordered to bear her own costs and to pay
those of the Court of Auditors of the European Communities in
the present proceedings.*

⁽¹⁾ OJ C 285, 8.11.2008.

**Order of the Court of First Instance of 22 June 2009 —
Nijs v Court of Auditors**

(Case T-371/08 P) ⁽¹⁾

**(Appeal — Public service — Officials — Decision to appoint
the appellant's superior — Internal competition — Staff
Committee elections — Decision not to promote the
appellant in 2006 — Appeal manifestly inadmissible in
part and manifestly unfounded in part)**

(2009/C 233/31)

Language of the case: French

Parties

Appellant: Bart Nijs (Bereldange, Luxembourg) (represented by: F.
Rollinger and A. Hertzog, lawyers)

Other party: Court of Auditors (represented by: T. Kennedy, J.-M.
Stenier and J. Vermer, agents)

Re:

Appeal brought against the order of the Civil Service Tribunal
of the European Union (First Chamber) of 26 June 2008 in Case
F-5/07 *Nijs v Court of Auditors* [2009] ECR I-0000 seeking that
that order be set aside.

Operative part of the order

The Court:

1. *Dismisses the appeal.*
2. *Orders Bart Nijs to bear his own costs and to pay those incurred
by the Court of Auditors of the European Communities in the
present proceedings.*

⁽¹⁾ OJ C 301 of 22.11.2008.

**Order of the Court of First Instance of 22 June 2009 —
Nijs v Court of Auditors**

(Case T-376/08) ⁽¹⁾

**(Appeal — Public service — Officials — Evaluation report
for 2005/2006 — Decision not to promote the appellant in
2007 — Decision of the Court of Auditors to renew the
mandate for its Secretary General — Appeal manifestly inad-
missible in part and manifestly unfounded in part)**

(2009/C 233/32)

Language of the case: French

Parties

Appellant: Bart Nijs (Bereldange, Luxembourg) (represented by: F.
Rollinger and A. Hertzog, lawyers)

Defendant: Court of Auditors (represented by: T. Kennedy, J.-M.
Stenier and G. Corstens, agents)

Re:

Appeal brought against the order of the Civil Service Tribunal
of the European Union (Second Chamber) of 26 June 2008 in
Case F-1/08 *Nijs v Court of Auditors* [2009] ECR I-0000 seeking
that that order be set aside.

Operative part of the order

The Court:

1. *Dismisses the appeal.*