

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Second Chamber) of 24 September 2009 — *Brown v Commission*

(Case F-37/05) ⁽¹⁾

(Staff case — Competition internal to the institution — Admission criteria — Members of the auxiliary staff — Rejection of candidature)

(2009/C 267/148)

Language of the case: French

Parties

Applicant: Michael Brown (Overijse, Belgium) (represented by: L. Vogel, lawyer)

Defendant: Commission of the European Communities (represented by: H. Tserepa-Lacombe and K. Herrmann, acting as Agents)

Re:

Annulment of the selection board's decision in competition COM/PB/04, competition for change of category C to B, refusing to admit the applicant to the pre-selection tests for that competition on the ground that he did not fulfil the required statutory condition at the closing date for the lodging of applications

Operative part of the judgment

The Tribunal:

1. *dismisses the action;*
2. *orders the parties to bear their own costs.*

⁽¹⁾ OJ C 193, 6/8/2005, p. 36. (the case was initially brought before the Court of First Instance of the European Communities under Case T-208/05 and transferred to the Civil Service Tribunal of the European Union by order of 15.12.2005)

Judgment of the Civil Service Tribunal (Second Chamber) of 10 September 2009 — *Van Arum v Parliament*

(Case F-139/07) ⁽¹⁾

(Staff case — Officials — Appraisal — Staff Report — Scope of the complaint referred to in Article 90 of the Staff Regulations)

(2009/C 267/149)

Language of the case: Dutch

Parties

Applicant: Rinse van Arum (Winksele, Belgium) (represented by: W. van den Muijsenbergh, lawyer)

Defendant: European Parliament (represented by: J.F. De Wachter, C. Burgos and K. Zejdová)

Re:

Staff case — Application to alter, or, alternatively, to annul the Staff Report, and to order the defendant to pay the token sum of EUR 1 as damages.

Operative part of the judgment

The Tribunal:

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

⁽¹⁾ OJ C 92, 12.4.2009, p. 49.

Judgment of the Civil Service Tribunal (Second Chamber) of 10 September 2009 — *Rosenbaum v Commission*

(Case F-9/08) ⁽¹⁾

(Staff case — Officials — Appointment — Grading — Request for reclassification — Scope of Article 13 in Annex XIII to the Staff Regulations — Taking into account professional experience — Recruitment in the grade of the competition — Article 31 of the Staff Regulations — Principle of non-discrimination — Free movement of workers)

(2009/C 267/150)

Language of the case: German

Parties

Applicant: Eckehard Rosenbaum (Bonn, Germany) (represented by: H.-J. Rüber, lawyer)

Defendant: Commission of the European Communities (represented by: J. Currall and B. Eggers, Agents)

Intervener in support of the defendant: Council of the European Union (represented by: M. Simm and M. Bauer, Agents)

Re:

Staff case — First, annulment of the decision classifying the applicant, a successful candidate in a competition held for the purpose of drawing up a reserve list for the recruitment of administrators in Grade A7/A6, in Grade AD 6/2 and, second, an application for reclassification.