

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders Mr Rosenbaum to bear his costs and to pay those of the Commission of the European Communities;
3. Orders the Council of the European Union, intervener, to bear its own costs.

(¹) OJ C 64, 8.3.2008, p. 70.

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

(Case F-36/08) (¹)

(Staff case — Officials — Promotion — Allocation of promotion points by Directors-General — 2007 promotion procedure)

(2009/C 267/151)

Language of the case: French

Parties

Applicant: Arno Schell (Brussels, Belgium) (represented by: F.Frabetti, lawyer)

Defendant: Commission of the European Communities (represented by: C. Berardis-Kayser and G. Berscheid, acting as Agents)

Re:

Staff case — Annulment of the applicant's career development report for the period from 1 January 2006 to 31 December 2006 and annulment of his 2007 promotion report

Operative part of the judgment

The Tribunal:

1. dismisses the action;
2. orders Mr Schell to pay all of the costs.

(¹) OJ C 142, 7/6/2008, p. 40.

**Order of the Civil Service Tribunal (Second Chamber) of
15 September 2009 — Hartwig v Commission**

(Case F-141/06) (¹)

(Appointment — Members of the temporary staff appointed as officials — Candidates names included on a reserve list of a competition published prior to the entry into force of the new Staff Regulations — Grading pursuant to the new less favourable rules — Transitional measures of Annex XIII to the Staff Regulations)

(2009/C 267/152)

Language of the case: French

Parties

Applicant: Marc Hartwig (Brussels, Belgium) (represented by: T. Bontinck, lawyer)

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

Re:

Annulment of the decisions of the Commission and the Parliament with effect from 16 April 2006 by which the applicant, a member of temporary staff in grade B*7 and successful candidate in Open Competition PE/34/B, was appointed an official in grade B*3, step 2, pursuant to the provisions of Annex XIII to the Staff Regulations.

Operative part of the order

1. There is no need to rule on the action in Case F-141/06 Hartwig v Commission.
2. Each party is ordered to bear its own costs.

(¹) OJ C 20, 27.1.2007, p. 40.

Action brought on 10 September 2009 — Sukup v Commission

(Case F-73/09)

(2009/C 267/153)

Language of the case: French

Parties

Applicant: Viktor Sukup (Brussels, Belgium) (represented by: Stéphane Rodriguez and Christophe Bernard-Glanz, lawyers)

Defendant: Commission of the European Communities