

- to the extent necessary, annul the decisions, dated 20 April 2009 and 6 August 2009 respectively, rejecting the applicants' requests for re-consideration and the complaints submitted by them;
- by way of measures of organisation of procedure, call upon the defendant to produce its administrative file and, at very least, the documents originating from DG-H which were submitted to the Executive Board concerning the General Salary Adjustment (GSA) for 2009, the Executive Board's proposal for GSA for 2009, the documents originating from DG-H which were submitted to the Governing Council concerning the GSA for 2009 and the decision of the Governing Council concerning the GSA for 2009;
- order the defendant to pay compensation for the damage suffered by applicants consisting of EUR 5 000 for each applicant to compensate them for their loss of purchasing power since 1 January 2009 and of arrears of salary corresponding to a 1.5 % pay increase from 1 January 2009, with interest on the latter from the date at which they fall due until the date of payment. The rate of interest should be two points higher than the rate fixed by the European Central Bank for its main refinancing operations which was applicable during the period in question;
- order the defendant to pay the costs.

Action brought on 19 October 2009 — Rossi Ferreras v Commission

(Case F-85/09)

(2009/C 312/74)

Language of the case: French

Parties

Applicant: Francisco Rossi Ferreras (Luxembourg, Luxembourg) (represented by: F. Frabetti, lawyer)

Defendant: Commission of the European Communities

Subject-matter and description of the proceedings

Action for annulment of the applicant's career development report for the period from 1 July 2001 to 31 December 2002.

Form of order sought

- Annul the applicant's career development report for the period from 1 July 2001 to 31 December 2002;
- Order the Commission of the Commission of the European Communities.

Action brought on 26 October 2009 — Gagalis v Council

(Case F-89/09)

(2009/C 312/75)

Language of the case: French

Parties

Applicant: Spyridon Gagalis (Kraainem, Belgium) (represented by: N. Lhoëst, lawyer)

Defendant: Council of the European Union

Subject-matter and description of the proceedings

Action for annulment of the defendant's decision refusing to reimburse the applicant 75 % of all the costs relating to a thermal cure pursuant to Article 73 of the Staff Regulations.

Form of order sought

- annul the defendant's decision of 9 December 2008, transmitted to the applicant on 22 December 2008, refusing to reimburse him 75 % of all the costs relating to a thermal cure pursuant to Article 73 of the Staff Regulations;
 - annul the decision of 15 July 2009, transmitted to the applicant on 17 July 2009, rejecting his complaint concerning the reimbursement of 75 % of all the costs relating to a thermal cure pursuant to Article 73 of the Staff Regulations;
 - order the Council to pay the applicant and additional amount of EUR 1 551,38 with interest for delayed payment;
 - order the Council of the European Union to pay the costs.
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