

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 8 July 2010 — Kurrer v Commission**

(Case F-139/06) <sup>(1)</sup>

*(Civil Service — Officials — Appointment — Temporary agents appointed as officials — Candidates placed on a reserve list prior to the entry into force of the new Staff Regulations — Transitional rules governing classification in grade at the time of recruitment — Classification in grade pursuant to the new, less favourable rules — Article 5(4) and Article 12(3) of Annex XIII to the Staff Regulations)*

(2010/C 234/101)

Language of the case: French

**Parties**

*Applicant:* Christian Kurrer (Watermael-Boitsfort, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)

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

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

**Re:**

Annulment of the Commission decision, effective from 1 April 2006, by which the applicant — a member of the temporary staff in grade A7 (now grade A\*8) and a successful candidate in Open Competition COM/A/3/03 — was appointed as an official in grade A\*6, step 2, pursuant to the provisions of Annex XIII to the Staff Regulations, without maintenance of the points which he had accumulated as a member of the temporary staff

**Operative part of the judgment**

*The Tribunal:*

1. *Dismisses the action;*
2. *Orders the parties to bear their own respective costs.*

<sup>(1)</sup> OJ C 20 of 27.01.07, p. 39.

**Judgment of the Civil Service Tribunal (Plenary Formation)  
of 5 May 2010 — Bouillez and Others v Council**

(Case F-53/08) <sup>(1)</sup>

*(Staff cases — Officials — Promotion — 2007 promotion procedure — Interest in bringing proceedings — Promotion decision — Liste of promoted officials — Consideration of the comparative merits — Criterion of the level of responsibility held — Application for annulment of the promotion decisions — Balance of interests)*

(2010/C 234/102)

Language of the case: French

**Parties**

*Applicants:* Vincent Bouillez (Overijse, Belgium) and Others (represented by: S. Orlandi, A. Coolen, J.-N. Louis, E. Marchal, lawyers)

*Defendant:* Council of the European Union

*Interveners:* Eliza Niniou and Maria-Béatrice Postiglione Branco, residing at Schaerbeek (Belgium) and at Kraainem (Belgium) respectively, (represented by: T. Bontinck and S. Woog initially, and then by T. Bontinck and S. Greco, lawyers)

and

Maria De Jesus Cabrita and Marie-France Liegard, officials of the Council of the European Union, residing in Brussels (Belgium), (represented by: N. Lhoëst initially, then by N. Lhoëst and L. Delhaye, lawyers)

**Re:**

Annulment of the decisions of the appointing authority not to promote the applicants to grade AST 7 under the 2007 promotion procedure

**Operative part of the judgment**

*The Tribunal:*

1. *Annuls the decisions by which the Council of the European Union refused to promote Mr Bouillez and Van Neyghem and Ms Wagner-Leclercq to grade AST 7 under the 2007 promotion procedure;*
2. *Dismisses the remainder of the claims in the actions brought by Mr Bouillez and Van Neyghem and by Ms Wagner-Leclercq;*