

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 13 December 2007 — Soares v Commission**

(Case F-130/05) <sup>(1)</sup>

*(Staff case — Officials — Reconstitution of career —  
Absence of staff reports — Comparative examination of  
merits — Request under Article 90(1) of the Staff  
Regulations — Admissibility of the action — New and  
substantial fact)*

(2008/C 22/99)

Language of the case: French

**Parties**

*Applicant:* Carlos Alberto Soares (Brussels, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

*Defendant:* Commission of the European Communities (represented by: C. Berardis-Kayser and K. Herrmann)

**Re:**

Annulment of the decision of the appointing authority of 19 September 2005 rejecting the applicant's claim for a favourable reconstitution of his career.

**Operative part of the judgment**

*The Tribunal:*

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

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<sup>(1)</sup> OJ C 60 of 11.3.2006, p. 57.

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 13 December 2007 — Wandschneider v Commission**

(Case F-28/06) <sup>(1)</sup>

*(Staff case — Officials — Assessment — Career development  
report — Assessment year 2004 — Action for annulment —  
Grounds — Manifest error of assessment)*

(2008/C 22/100)

Language of the case: French

**Parties**

*Applicant:* Paolo Sequeira Wandschneider (Brussels, Belgium) (represented: initially by G. Vandersanden and C. Ronzi, lawyers, then by G. Vandersanden, C. Ronzi and L. Levi, lawyers)

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

**Re:**

Annulment of the applicant's career development report for the assessment year 2004 and, secondly, a claim for damages.

**Operative part of the judgment**

*The Tribunal:*

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

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<sup>(1)</sup> OJ C 121 of 20.5.2006, p. 19.

**Judgment of the Civil Service Tribunal of 13 December  
2007 — Asa Sundholm v Commission of the European  
Communities**

(Case F-42/06) <sup>(1)</sup>

*(Staff case — Officials — Appraisal — Career development  
report — Appraisal for the year 2004 — Objectives of and  
criteria for appraisal — Damages)*

(2008/C 22/101)

Language of the case: French

**Parties**

*Applicant(s):* Asa Sundholm (Brussels, Belgium) (represented by represented by S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal)

*Defendant:* Commission of the European Communities (represented by C. Berardis-Kayser and M. Velardo, Agents.)

**Re:**

Annulment of the applicant's career development report for the year 2004 and a claim for damages

**Operative part of the judgment**

*The Tribunal:*

1. Annuls Ms Sundholm's career development report for the period from 1 January to 31 December 2004;
2. Dismisses the remainder of the action;
3. Orders the Commission of the European Communities to pay the costs.

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<sup>(1)</sup> OJ C 131 of 3.6.2006, p. 54.