

Action brought on 31 October 2007 — Menidiatis v Commission

(Case F-128/07)

(2008/C 8/56)

*Language of the case: French***Parties***Applicant:* Andreas Menidiatis (Sint-Genesius-Rode, Belgium) (represented by: S. Pappas, lawyer)*Defendant:* Commission of the European Communities**Form of order sought**

- annul the Commission decision of 21 December 2006 rejecting the applicant's candidature for the vacant post of head of representation of the Commission to Greece and appointing another candidate to that post;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of his action, the applicant relies on a number of pleas in law against the decision to reject his candidature for the vacant post of head of representation of the Commission to Greece. First, he pleads that the selection procedure was unlawful and not complied with. Secondly, he pleads that the notice of vacancy was unlawful and not complied with.

A further plea in law alleges infringement of Article 11a of the Staff Regulations. Moreover, the applicant pleads the unlawfulness of the downgrading of the post of head of representation in Athens and the unlawfulness of the decision of 7 July 2004 concerning the detailed rules for filling head-of-representation posts.

In addition, the lateness of the publication of the notice of vacancy is relied on along with the failure to state reasons for refusing access to the documents requested by the applicant in his complaint. Finally, the applicant relies on the breach of the rules concerning the rotation of staff occupying 'sensitive posts' and submits that there are numerous factors indicating a misuse of powers.

Action brought on 31 October 2007 — Kremlis v Commission

(Case F-129/07)

(2008/C 8/57)

*Language of the case: French***Parties***Applicant:* Georges-Stavros Kremlis (Brussels, Belgium) (represented by: S. Pappas, lawyer)*Defendant:* Commission of the European Communities**Form of order sought**

- annul the Commission decision of 21 December 2006, rejecting the applicant's candidature for the vacant post of head of representation of the Commission to Greece and appointing another candidate to that post;
- order the defendant to pay the costs.

Pleas in law and main arguments

The applicant relies on very similar pleas in law to those relied on in Case F-128/07, the notice of which is published in this issue of the *Official Journal of the European Union*.

Action brought on 31 October 2007 — Vinci v European Central Bank

(Case F-130/07)

(2008/C 8/58)

*Language of the case: German***Parties***Applicant:* Fiorella Vinci (Schöneck, Germany) (represented by: B. Karthaus, lawyer)*Defendant:* European Central Bank