

and

Anne Simon (Nouackhott, Mauritania) (represented by: S. Orlandi, A. Coolen, J.-N. Louis, E. Marchal, lawyers) (Case F-34/08)

and

Jorge Aparicio, (Antiguo Cuscatlan, El Salvador) and Others (represented by: S. Orlandi, A. Coolen, J.-N. Louis, E. Marchal, lawyers) (Case F-75/08)

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

Re:

Annulment of the decision of EPSO not to include the applicants' names on the list of successful candidates and in the database for the CAST 27/Relex recruitment procedure.

Operative part of the judgment

The Tribunal:

1. Dismisses the actions in F-20/08, F-34/08 and F-75/08;
2. Orders Mr Aparicio and the other applicants whose names are listed in the Annex under Nos 1 to 18 to pay the costs in Case F-20/08 and nineteen forty-sixths of the costs in Case F-75/08. Orders Ms Simon to pay the costs in Case F-34/08 and one forty-sixth of the costs in Case F-75/08. Orders the applicants whose names are listed in the Annex under Nos 19 to 40 and 42 to 46 to pay twenty-six forty-sixths of the costs in Case F-75/08.

⁽¹⁾ F-20/08: OJ C 92, 12.4.2008, p. 52.
F-34/08: OJ C 116, 9.5.2008, p. 36.
F-75/08: OJ C 285, 8.11.2008, p. 56.

Judgment of the Civil Service Tribunal (First Chamber) of 30 November 2009 — De Nicola v European Investment Bank

(Case F-55/08) ⁽¹⁾

(Staff case — Staff of the European Investment Bank — Assessment — Promotion — Sickness insurance — Repayment of medical expenses — Psychological harassment — Duty to have regard to the welfare of officials — Action for damages — Jurisdiction of the Tribunal — Admissibility)

(2010/C 24/136)

Language of the case: Italian

Parties

Applicant: Carlo De Nicola (Strassen, Luxembourg) (represented by: L. Isola, lawyer)

Defendant: European Investment Bank (represented by: G. Nuvoli and F. Martin, Agents, assisted by d'A. Dal Ferro, lawyer)

Re:

First, annulment, in part, of the decision of the Appeals Committee concerning the assessment of the applicant for 2006 and, second, a declaration that the applicant has been the victim of psychological harassment and an order that the defendant desist from such conduct and compensate the non-material and material damage suffered.

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders the applicant to pay the costs.

⁽¹⁾ OJ C 209, 15.8.2008, p. 73.

Judgment of the Civil Service Tribunal (First Chamber) of 19 November 2009 — N v Parliament

(Case F-71/08) ⁽¹⁾

(Staff case — Officials — Appraisal — Staff report — Setting of objectives — Manifest error of assessment — Admissibility — Act which does not adversely affect an official)

(2010/C 24/137)

Language of the case: French

Parties

Applicant: N (Brussels, Belgium) (represented by: É. Boigelot, lawyer)

Defendant: European Parliament (represented by: K. Zejdová, R. Ignătescu and S. Seyr, acting as Agents)

Re:

Annulment of the applicant's staff report for the period from 16/8/2006 to 31/12/2006.

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the Secretary General of the European Parliament of 12 September 2007 adopting N's definitive staff report for the period from 16 August 2006 to 31 December 2006;
2. Rejects the remainder of the application;
3. Orders the European Parliament to pay the costs.

⁽¹⁾ OJ C 272, 25.10.2008, p. 51.