

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Action brought on 22 August 2008 — N v Parliament

(Case F-71/08)

(2008/C 272/98)

*Language of the case: French*

#### Parties

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

*Defendant:* European Parliament

#### Subject-matter and description of the proceedings

Annulment of the staff report on the applicant for the period from 16 August 2006 to 31 December 2006.

#### Form of order sought

- Annul the decision of 12 September 2007 confirming and definitively approving the staff report on the applicant for the period from 16 August 2006 to 31 December 2006;
- annul that contested report;
- annul the decision of the President of the Parliament of 22 May 2008 rejecting the applicant's claim for annulment of the contested decision;
- order the European Parliament to pay the costs.

### Action brought on 25 August 2008 — Ketselidis v Commission

(Case F-72/08)

(2008/C 272/99)

*Language of the case: French*

#### Parties

*Applicant:* Michalis Ketselidis (Brussels, Belgium) (represented by: S. Pappas, lawyer)

*Defendant:* Commission of the European Communities

### Subject-matter and description of the proceedings

Annulment of the implicit decision rejecting the claim made by the applicant for revision of the calculation of pension annuities to be taken into account for transfer of his pension rights acquired in Greece to the Community scheme

#### Form of order sought

- Annul the implicit decision rejecting the claim for revision of the calculation of pension annuities to be taken into account for transfer of his pension rights to the Community scheme;
- Order the defendant to pay the costs.

### Action brought on 25 August 2008 — Marcuccio v Commission

(Case F-73/08)

(2008/C 272/100)

*Language of the case: Italian*

#### Parties

*Applicant:* Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

*Defendant:* Commission of the European Communities

#### Subject-matter and description of the proceedings

Annulment of various Commission decisions refusing the applicant 100 % reimbursement of medical expenses, and payment by the Commission of the relevant amount

#### Form of order sought

- Annulment of the decision refusing the application dated 27 June 2007 and sent on 28 June 2007;
- Annulment of the decision refusing the application dated 29 June 2007 and sent the same day;

- Annulment of the decision refusing the application dated 30 June 2007 and sent on 2 July 2007;
- Annulment of the decision refusing the application dated 2 July 2007 and sent the same day;
- Annulment, in so far as necessary, of the memorandum dated 29 April 2008;
- Order that the Commission pay the applicant, by way of 100 % reimbursement of the medical expenses, the sum of EUR 4 747,29 or such lesser sum as the Court may consider appropriate, plus interest at the rate of 10 % per annum with annual capitalisation, or at such rate, with such capitalisation and from such date as the Court considers appropriate;
- Order that the Commission pay the costs.

---

**Action brought on 29 August 2008 — Ramaekers-Jørgensen v Commission**

(Case F-74/08)

(2008/C 272/101)

*Language of the case: French*

**Parties**

*Applicant:* Dominique Ramaekers-Jørgensen (Genval, Belgium)  
(represented by: L. Vogel, lawyer)

*Defendant:* Commission of the European Communities

**Subject-matter and description of the proceedings**

On the one hand, annulment of the decision of the Appointing Authority to calculate the applicant's Community tax by combining the amount of personal remuneration and the survivor's pension, and of the decision rejecting the application for the Community tax on her survivor's pension not to be deducted in advance, prior to payment of that pension, from her remuneration. On the other, a finding that Articles 3 and 4 of Council Regulation No 260/68, as most recently amended by Council Regulation No 2182/2003, are unlawful.

**Form of order sought**

- Annul the decision adopted by the Appointing Authority on 20 May 2008 rejecting the claim brought on 16 January 2008 seeking annulment in part of the decision of 16 October 2007 insofar as that decision laid down the methods for calculation and payment of the Community tax on the survivor's pension awarded to the applicant;
- insofar as necessary, annul in addition, in part, the decision of 16 October 2007 in as much as it laid down the methods for calculation and payment of the Community tax on the survivor's pension awarded to the applicant;
- by application of Article 241 of the Treaty, find that Articles 3 and 4 of Council Regulation No 260/68, as most recently amended by Council Regulation No 2182/2003, are unlawful since those provisions stipulate that the survivor's pension awarded to an official is to be added to his pay for the purposes of calculation of the Community tax thereon;
- order the Commission of the European Communities to pay the costs.