

- 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.
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