

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (First Chamber) of 23 February 2010 — Faria v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)**

(Case F-7/09) <sup>(1)</sup>

*(Staff cases — Officials — Reports — Evaluation report — 2006/2007 evaluation period — Application for annulment of the evaluation report — Manifest error of assessment — Compensation for non-material damage)*

(2010/C 134/84)

Language of the case: French

### Parties

*Applicant:* Marie-Hélène Faria (Muchamiel, Spain) (represented by: L. Levi, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: I. de Medrano Caballero, Agent, assisted by D. Waelbroeck, lawyer)

### Re:

Annulment of the evaluation report in respect of the period from 1 October 2006 to 30 September 2007, and an order that the defendant pay compensation for the loss suffered by the applicant.

### Operative part of the judgment

*The Tribunal:*

1. Annuls Ms Faria's evaluation report, drawn up by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) in respect of the period from 1 October 2006 to 30 September 2007;
2. For the rest, dismisses the action;
3. Orders OHIM to bear its own costs and to pay three quarters of Ms Faria's costs;
4. Orders Ms Faria to bear one quarter of her own costs.

<sup>(1)</sup> OJ C 69 of 21.03.2009, p. 55.

**Judgment of the Civil Service Tribunal (First Chamber) of 9 March 2010 — N v Parliament**

(Case F-26/09) <sup>(1)</sup>

*(Staff cases — Officials — Action for damages — Admissibility — Psychological harassment — Duty of care — Non-material damage)*

(2010/C 134/85)

Language of the case: French

### Parties

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

*Defendant:* European Parliament (represented by: K. Zejdová and R. Ignătescu, Agents)

### Re:

An order that the Parliament pay the applicant the sum of EUR 12 000 by way of compensation for the harm suffered, first, on account of the psychological and professional harassment to which she was subject and, secondly, on account of there being no internal administrative investigation by an independent body.

### Operative part of the judgment

*The Tribunal:*

1. Orders the European Parliament to pay N compensation in the amount of EUR 2 000;
2. For the rest, dismisses the action;
3. Orders the European Parliament to bear its own costs and to pay three quarters of N's cost
4. Orders N to bear one quarter of her own costs.

<sup>(1)</sup> OJ C 153 of 04. 07. 2009, p. 51.