

Subject-matter and description of the proceedings

Annulment of the decision of the Authority Authorised to Conclude Contracts of Engagement fixing the applicant's place of recruitment at Aix-la-Chapelle (Germany) and fixing the period of daily allowance at 120 days.

Form of order sought

- declare that there has been an infringement of the Commission decision of 15 April 2004 adopting the General implementing provisions for giving effect to Article 7(3) of Annex VII to the Staff Regulations and of Article 10 of Annex VII to the Staff Regulations;
- consequently, order the annulment of the decision of the Authority Authorised to Conclude Contracts of Engagement No R/9/09 of 21 April 2009 dismissing the applicant's claim seeking the fixing of his place of recruitment in Bulgaria and fixing the period of daily allowance in accordance with Article 10(2)(b) of Annex VII to the Staff Regulations;
- order the defendant to pay the applicant unpaid daily allowance amounts totalling EUR 6 942,32, or any other amount fixed by the Court of First Instance, in addition to default interest as from the date of the lodging of the application until the date of payment;
- order the Commission of the European Communities to pay the costs.

Action brought on 17 August 2009 — Caminiti v Commission

(Case F-71/09)

(2009/C 244/29)

Language of the case: French

Parties

Applicant: Paolo Caminiti (Tubize, Belgium) (represented by: L. Levi, lawyer)

Defendant: Commission of the European Communities

Subject-matter and description of the proceedings

Application to annul the defendant's decision to classify the applicant in Grade AST 9, step 4, with a multiplication factor equal to 1 and, consequently, the reinstatement of the applicant in Grade AST 9, step 2, retaining a multiplication factor of 1.071151.

Form of order sought

The applicant claims that the Court should:

- annul the decision to classify the applicant in grade AST 9, step 4, with a multiplication factor equal to 1 contained in the applicant's salary slip of March 2009;
- consequently, reinstate the applicant, with effect from 1 March 2009, in Grade AST 9, step 2, retaining a multiplication factor of 1.071151;
- order the full restructuring of the applicant's career with retroactive effect from 1 March 2009 to the date of his classification in grade and step as thus corrected (including the valuation of his experience in his classification as thus corrected, his rights of advancement to a higher step and his pension rights), which includes the payment of default interest at the base rate fixed by the European Central Bank for its main refinancing operations, applicable during the period concerned, increased by two points, on all the sums corresponding to his classification as set out in the classification decision and the classification to which he should have been entitled until the date on which the decision on his corrected classification is taken; in the alternative, order the applicant to be granted promotion points corresponding to the conversion of the multiplication factor to a 'time' factor;
- order the Commission of the European Communities to pay the costs.