

**Action brought on 17 September 2010 — Dubus v Commission**

(Case F-79/10)

(2010/C 301/107)

*Language of the case: French***Parties**

*Applicant:* Charles Dubus (Tervuren, Belgium) (represented by: E. Boigelot and S. Woog, lawyers)

*Defendant:* European Commission

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

Annulment of the defendant's decision not to include the applicant in the list of officials promoted to grade AST4/C under the 2009 promotion exercise and application for compensation for non-material damage suffered

**Form of order sought**

- annul the Commission's decision, published on 20 November 2009, not to include the applicant on the list of officials promoted from grade AST3/4 to grade AST4/C under the 2009 promotion exercise;
- as a consequence of that annulment, undertake a further comparative examination of the applicant's merits and those of the other candidates under the 2009 promotion exercise and promote the applicant to grade AST4C with retroactive effect from 1 January 2009 together with the payment of interest on the arrears of pay at the rate applied by the European Central Bank in its main refinancing operations, from 1 January 2009, increased by 2 points, without however challenging the promotion of the other officials promoted and whose names appear on the list published on 20 November 2009;
- order the Commission to pay the applicant EUR 3 500 compensation for non-material damage suffered as a result of the fact that he was not promoted on 1 January 2009, without prejudice to any increase during the proceedings;

- order the European Commission to pay the costs.

**Action brought on 24 September 2010 — Praskevicius v Parliament**

(Case F-81/10)

(2010/C 301/108)

*Language of the case: French***Parties**

*Applicant:* Vidas Praskevicius (Luxembourg, Luxembourg) (represented by: P. Nelissen Grade and G. Leblanc, lawyers)

*Defendant:* European Parliament

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

Annulment of the defendant's decision not to include the applicant in the list of officials promoted to grade AD6 for 2009 and [rejection] of the claim for non-material damage.

**Form of order sought**

- Annul the decision of the Appointing Authority of 21 June 2010 rejecting the applicant's claim;
- annul the decision of the Appointing Authority of 24 November 2009, notified on 2 December 2009, not to include the applicant in the list of officials promoted to grade AD6 for 2009;
- inform the Appointing Authority of the effects of annulment of the contested decisions, in particular classification in grade AD6 and the retroactivity of promotion to grade AD6 from the date on which it should have become effective, that is to say, 1 January 2009;
- grant the applicant EUR 500 in respect of compensation for non-material damage;
- order the European Parliament to pay the costs.