

Operative part of the judgment

The Tribunal:

1. Annuls the implied decisions by which the European Commission rejected Mr Marcuccio's claims of 25 December 2008 seeking reimbursement at the normal rate of certain medical expenses.
2. Dismisses the remainder of the heads of claim.
3. Orders each party to bear its own costs.

(¹) OJ C 63, 13.3.2010, p. 52.

**Judgment of the Civil Service Tribunal (First Chamber) of
23 November 2010 — Gheysens v Council**

(Case F-8/10) (¹)

(Public service — Auxiliary contract staff — Nonrenewal of
contract — Duty to state reasons)

(2011/C 30/122)

Language of the case: French

Parties

Applicant: Johan Gheysens (Malines, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and É. Marchal, lawyers)

Defendant: Council of the European Union (represented by: M. Balta and K. Zieleńkiewicz, Agents)

Re:

Application for annulment of the Council's decision not to extend the applicant's contract and, consequently, to terminate his employment relationship with the Council.

Operative part of the judgment

The Tribunal:

1. Dismisses Mr Gheysens' action;
2. Orders Mr Gheysens to pay all the costs.

(¹) OJ C 100, 17.4.2010, p. 69.

**Action brought on 5 October 2010 — Andrecs and Others
v Commission**

(Case F-96/10)

(2011/C 30/123)

Language of the case: French

Parties

Applicants: Stefan Robert Andrecs (Brussels, Belgium) and Others (represented by: L. Vogel, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the Commission's decision adjusting the applicants' remuneration, pensions and other allowances with effect from 1 July 2009, as set out in their salary slips, within the framework of the annual adjustment of the remuneration and pensions of officials and other servants pursuant to Council Regulation (EU, Euratom) No 1296/2009 of 23 December 2009.

Form of order sought

— Annul the decision by which the appointing authority fixed the new amount of the applicants' remuneration, pensions and other allowances under the Staff Regulations, as set out in particular in the applicants' salary slips R6/2009 and 01/2010, and annul the decision by which, on 24 June 2010, the appointing authority rejected the applicants' complaint of 29 March 2010 in so far as those decisions deny the applicants an increase in their remuneration, pensions and allowances under the Staff Regulations equivalent to 3.70 % of the original amount, and dismiss their application for interest to be awarded to them on the amounts still owed to them at the rate laid down by the European Central Bank for its main refinancing operations, increased by two percentage points, from the date on which the applicants became entitled to the sums at issue until full payment;

— Order the European Commission to pay the costs.

**Action brought on 15 October 2010 — Massez and Others
v Court of Justice**

(Case F-101/10)

(2011/C 30/124)

Language of the case: French

Parties

Applicants: Lieven Massez (Luxembourg, Luxembourg) and Others (represented by: A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: Court of Justice of the European Union

Subject-matter and description of the proceedings

Annulment of the applicants' salary adjustment slips for the period from July to December 2009 and the salary slips issued since 1 January 2010 within the framework of the annual adjustment of the remuneration and pensions of officials and other servants pursuant to Council Regulation (EU, Euratom) No 1296/2009 of 23 December 2009.

Form of order sought

- Annul the decision of the Complaints Committee of the Court of Justice of 29 June 2010 rejecting the applicants' complaints regarding their salary adjustment slips for the period from July to December 2009 and their salary slips issued since 1 January 2010;
- to the extent necessary, annul the decisions of the Court of Justice on the establishment of the applicants' salary adjustment slips for the period from July to December 2009 and salary slips since 1 January 2010;
- order the Court of Justice to pay the applicants the arrears of remuneration, plus default interest;
- order the Court of Justice to pay the costs.

Action brought on 18 October 2010 — Geradon v Council**(Case F-102/10)**

(2011/C 30/125)

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

Applicant: Félix Geradon (Sint Pieters Leeuw, Belgium) (represented by: A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: Council of the European Union

Subject-matter and description of the proceedings

Annulment of the applicant's salary adjustment slip for the period from July to December 2009 and the salary slips issued since 1 January 2010 within the framework of the annual adjustment of the remuneration and pensions of officials and other servants pursuant to Council Regulation (EU, Euratom) No 1296/2009 of 23 December 2009.

Form of order sought

- Annul the Council's decision of 5 July 2010 rejecting the applicant's complaint regarding the salary adjustment slip for the period from July to December 2009 and his salary slips issued since 1 January 2010;

- Annul, where necessary, the Council's decisions on the issue of salary adjustment slips for the period from July to December 2009 and of salary slips since 1 January 2010;
- Order the Council to pay the applicant arrears of remuneration plus default interest;
- Order the Council to pay the costs.

Action brought on 20 October 2010 — Stephan Jaeger v Eurofound**(Case F-103/10)**

(2011/C 30/126)

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

Applicant: Stephan Jaeger (Dublin, Ireland) (represented by: A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: European Foundation for the Improvement of Living and Working Conditions (Eurofound)

Subject-matter and description of the proceedings

Annulment of the applicant's salary adjustment slip for the period from July to December 2009 and the salary slips issued since 1 January 2010 within the framework of the annual adjustment of the remuneration and pensions of officials and other servants pursuant to Council Regulation (EU, Euratom) No 1296/2009 of 23 December 2009.

Form of order sought

- Annul, where necessary, the decisions of Eurofound on the establishment of the applicant's salary adjustment slips for the period from July to December 2009 and his salary slips issued since 1 January 2010;
- Order Eurofound to pay the applicant the arrears of remuneration, plus default interest;
- Order Eurofound to pay the costs.