

Operative part of the judgment

The Tribunal:

1. Annuls the decision of the Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, of 19 February 2013, not to renew Mr Wahlström's contract as a member of the temporary staff;
2. Dismisses the action as to the remainder;
3. Declares that the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union is to bear its own costs and orders it to pay Mr Wahlström's costs.

(¹) OJ C 31, 1/2/2014, p. 23.

Judgment of the Civil Service Tribunal (3rd Chamber) of 10 September 2014 — KE (*) v ERA

(Case F-120/13) (¹)

(Civil Service — Member of the temporary staff — Non-renewal of a fixed-term contract — Agency staff — Reduction of staff — ERA multiannual financial framework — Abolition of two posts from the establishment plan — Compliance with the essential formalities — Right to a fair hearing — Internal guidelines — Interests of the service)

(2014/C 395/80)

Language of the case: French

Parties

Applicant: KE (*) (represented by: S. A. Pappas, lawyer)

Defendant: European Railway Agency (represented by: G. Stärkle, acting as Agent, B. Wägenbaur, lawyer)

Re:

Application to annul the decision not to renew the applicant's contract as a member of the temporary staff.

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders the European Railway Agency to bear its own costs and to pay half of the costs incurred by KE (*).
3. Orders KE (*) to bear half of her own costs.

(¹) OJ C 45, 15/02/2014, p. 47.

Order of the Civil Service Tribunal (3rd Chamber) of 18 September 2014 — Marcuccio v Commission

(Case F-149/12) (¹)

(Civil service — Invalidity — Invalidity allowance — Amounts withheld from the invalidity allowance)

(2014/C 395/81)

Language of the case: Italian

Parties

Applicant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

(*) Information erased or replaced within the framework of protection of personal data and/or confidentiality.

Defendant: European Commission (represented by: C. Berardis-Kayser and G. Gattinara, Agents)

Re:

Application for annulment of the monthly recovery of EUR 500, withheld from the applicant's invalidity allowance for the months of April to June 2012.

Operative part of the order

1. *The action is dismissed as in part manifestly inadmissible and in part manifestly unfounded.*
2. *Mr Marcuccio is to bear his own costs and is ordered to pay the costs incurred by the European Commission.*

⁽¹⁾ OJ C 108 of 13/04/2013, p. 38.

**Order of the Civil Service Tribunal (3rd Chamber) of 4 September 2014 — Prigent v Commission
(Case F-111/13) ⁽¹⁾**

(Civil service — Open competition — Notice of open competitions EPSO/AD/230/12 (AD 5) and EPSO/AD/231/12 (AD 7) — Professional experience eligibility condition of Competition EPSO/AD/231/12 (AD 7) not fulfilled — Reassignment to Competition EPSO/AD/230/12 (AD 5) — Interest in bringing proceedings — Lateness of complaint — Successive requests for reconsideration)

(2014/C 395/82)

Language of the case: French

Parties

Applicant: Oliver Prigent (Fentange, Luxembourg) (represented by: F. Moyses, lawyer)

Defendant: European Commission (represented by: J. Currall and G. Gattinara, lawyers)

Re:

Application for annulment, first, of the EPSO decision not to admit the applicant to the selection phase of Competition EPSO/AD/231/12 (AD 7) and to reclassify him in Competition EPSO/AD/230/12 (AD 5) and, secondly, of the decision to include him on the reserve list for the abovementioned AD 5 competition, as well as damages for material and non-pecuniary damage allegedly suffered.

Operative part of the order

1. *The action is dismissed as being, in part, clearly inadmissible and, in part, clearly unfounded.*
2. *Mr Prigent is to bear his own costs and shall pay the costs incurred by the European Commission.*

⁽¹⁾ OJ C 31, 01/02/2014, p. 22.