

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Third Chamber) of 18 April 2012 — Buxton v Parliament

(Case F-50/11) ⁽¹⁾

*(Civil service — Officials — Award of merit points — Staff
report — Part-time work — Equal treatment)*

(2012/C 184/43)

Language of the case: French

Parties

Applicant: Dawn Cheryl Buxton (Luxembourg) (represented by:
P. Nelissen Grade and G. Leblanc, lawyers)

Defendant: European Parliament (represented by: S. Alves and
N.B. Rasmussen, agents)

Re:

Civil service — Application for annulment of the decision of the appointing authority to grant the applicant only one merit point for the 2009 reports procedure.

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*
2. *Orders Ms Buxton to bear her own costs and to pay the costs of the European Parliament.*

⁽¹⁾ OJ C 186, 25.6.2011, p. 36.

Order of the Civil Service Tribunal (Third Chamber) of 25 April 2012 — Oprea v Commission

(Case F-108/11) ⁽¹⁾

*(Civil service — Open competition — Non-admission to
the competition — Pre-litigation procedure — Procedural
irregularity — Manifest inadmissibility)*

(2012/C 184/44)

Language of the case: French

Parties

Applicant: Valentin Oprea (Brussels, Belgium) (represented by:
A. Fratini and F. Filpo, lawyers)

Defendant: European Commission (represented by: J. Currall
and B. Eggers, acting as Agents)

Re:

Application for annulment of the decision of the selection board for open competition EPSO/AD/198/10 not to admit the applicant to that competition because of an alleged lack of professional experience

Operative part of the order

1. *The action is dismissed as manifestly inadmissible.*
2. *Mr Oprea is ordered to pay the costs in their entirety.*

⁽¹⁾ OJ C 25, 28.1.2012, p. 69.

Action brought on 9 January 2012 — ZZ v Commission and EMA

(Case F-2/12)

(2012/C 184/45)

Language of the case: Bulgarian

Parties

Applicant: ZZ (represented by: M. Ekimdzhiiev, K. Boncheva and
G. Chernicherska, lawyers)

*Defendants: European Commission and European Medicines
Agency*

Subject-matter and description of the proceedings

Application for (i) the annulment of the Commission's decisions concerning the drawing up and approval of the shortlist submitted to the EMA's Management Board in the context of the procedure for the selection and appointment of the Executive Director of that agency, (ii) the annulment of the appointment of another candidate to that post and (iii) compensation for the non-material damage allegedly sustained.

Form of order sought

— Annul the decision of the pre-selection panel adopting a shortlist of candidates for submission to the European Commission's Consultative Committee on Appointments, notified to the applicant by email of 14 March 2011;

— annul the prior decision of the European Commission's Consultative Committee on Appointments of 14 March 2011 calling the four candidates on the pre-selection panel's shortlist to an interview with that committee, notified to the applicant by email of 14 March 2011;

- annul the decision of the European Commission's Consultative Committee on Appointments of 14 March 2011 agreeing with the opinion of the pre-selection panel that the four candidates on the latter's shortlist had greater merits, notified to the applicant by email of 14 March 2011;
- annul the decision of the European Commission of 20 April 2011 adopting a shortlist of candidates;
- annul the decision of the European Commission of 6 October 2011 rejecting the administrative complaint submitted under Article 90 of the Staff Regulations of Officials of the European Union and setting out the grounds of the European Commission's decision of 20 April 2011 adopting a shortlist of candidates;
- annul the decision of the Management Board of the EMA of 6 October 2011 appointing the Executive Director of the EMA, in accordance with the procedure laid down in Article 91(4) of Staff Regulations of Officials of the European Union, that decision having been the subject of a complaint submitted to the appointing authority pursuant to Article 90 of those Staff Regulations;
- order appropriate compensation for the non-material damage sustained;
- order the Commission and the EMA to pay the costs.

Action brought on 11 January 2012 — ZZ v European Commission

(Case F-6/12)

(2012/C 184/46)

Language of the case: French

Parties

Applicant: ZZ (represented by: C. Dony, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the Commission decision rejecting the applicant's complaint against the refusal to grant him an expatriation allowance.

Form of order sought

- Annul the appointing authority's decision of 11 October 2011 rejecting the applicant's complaint under Article

90(2) of the Staff Regulations against the decision of 24 May 2011 refusing to grant him an expatriation allowance.

- Order the European Commission to pay the costs.

Action brought on 23 February 2012 — ZZ v ECB

(Case F-26/12)

(2012/C 184/47)

Language of the case: English

Parties

Applicant: ZZ (represented by: S. Pappas, lawyer)

Defendant: European Central Bank

Subject-matter and description of the proceedings

Annulment of the ECB decision rejecting the applicant's requests to document access and the claim for damages.

Form of order sought

The applicant claims that the Tribunal should:

- annul the ECB decisions rejecting the requests to document access of the applicant, i.e. the decision dated 21 June 2011 by which the application of the applicant for access to documents has been rejected, the decision of the Director General dated 12 August 2011 and the decision of the President of the European Central Bank dated 12 December 2011;
- order the ECB to pay a compensation, evaluated ex aequo et bono at EUR 10 000, for the moral prejudice suffered;
- order the ECB to pay the costs.

Action brought on 24 February 2012 — ZZ v Commission

(Case F-27/12)

(2012/C 184/48)

Language of the case: Italian

Parties

Applicant: ZZ (represented by: R. Ferlin, lawyer)

Defendant: European Commission