

- annul the decision adopted by the head of unit of the 'Recruitment and end of service' unit within the Directorate HR.B of the DG Human Resources and Security, in his capacity as AECE, not to renew the applicant's contract;
- in so far as necessary, annul the decision adopted by the AECE, rejecting the complaint brought by the applicant;
- reinstate the applicant in the post which she occupied within DG DIGIT with an extension of her contract in accordance with the requirements of the regulations;
- alternatively, if the above application to be reinstated is not upheld, order the defendant to pay compensation for the damage suffered by the applicant, provisionally and *ex aequo et bono* estimated at the difference between the remuneration which she would have received as a member of the temporary staff of the Commission if her contract had been renewed, and the unemployment allowances currently received, for a period of two years (corresponding to the period of renewal provided for under Article 8 of the CEOS), with the addition of late payment interest at the legal rate in the period concerned;
- in any event, order the defendant to pay a fixed sum provisionally and *ex aequo et bono* fixed at EUR 5000, as compensation for non-material damage, with the addition of late payment interest at the legal rate from the date of the judgment to be delivered;
- order the European Commission to pay the costs.

Action brought on 4 February 2012 — ZZ v European Court of Auditors

(Case F-14/12)

(2012/C 138/75)

Language of the case: German

Parties

Applicant: ZZ (represented by: O. Mader, lawyer)

Defendant: European Court of Auditors

Subject-matter and description of the proceedings

Annulment of the defendant's decisions not to promote the applicant to grade AD 13 in the 2011 promotion procedure

Form of order sought

The applicant claims that the Tribunal should:

- annul the defendant's decision of 26 May 2011 not to promote the applicant to grade AD 13 in the 2011 promotion procedure;

- annul the defendant's decision of 18 November 2011 confirming the number of posts available for promotion to grade AD 13 in 2011, with the result that the applicant's complaint against the decision of 26 May 2011 was rejected;

- order the European Court of Auditors to pay the costs.

Action brought on 10 February 2012 — ZZ v Commission

(Case F-16/12)

(2012/C 138/76)

Language of the case: French

Parties

Applicant: ZZ (represented by: P. Nelissen Grade and G. Leblanc, lawyers)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the decision to change unilaterally the applicant's posting.

Form of order sought

- Annul the decision of the appointing authority of 1 February 2012 to assign the applicant to a post in unit D5 instead of unit A4;

- Order the Commission to pay the applicant the sum of EUR 3 000 in non-material damages;

- order the Commission to pay the costs.

Action brought on 8 February 2012 — ZZ v Commission

(Case F-17/12)

(2012/C 138/77)

Language of the case: Italian

Parties

Applicant: ZZ (represented by: G. Cipressa, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Application for an order that the Commission pay compensation for the damage which the applicant claims to have sustained as a result of the excessive duration of the procedure for recognising the serious nature of the illness from which he suffered.

Form of order sought

- Annul the decision, whatever the form in which it was adopted, by which the Commission rejected the request of 23 November 2010 sent by the applicant to the appointing authority;
- Annul the note of 24 January 2011, bearing in the top right-hand corner the reference 'Ref Ares (2011) 74616 — 24.11.2011', issued by the Commission;
- In so far as necessary, annul the decision, whatever the form in which it was adopted, rejecting the applicant's complaint against the note of 24 January 2011;
- In so far as necessary, annul the note of 23 September 2011, bearing in the top right hand corner the reference 'Ref Ares (2011) 1010393 — 23.09.2011';
- In so far as necessary, confirm that the procedure instigated following the application for recognition of the applicant's right, under Article 72 of the Staff Regulations, to 100 % reimbursement of the medical expenses incurred by him continued for more than five years;
- In so far as necessary, declare that the duration of the procedure in question has exceeded what could be deemed reasonable;
- Accordingly, order the Commission to make reparation for the damage unjustly suffered to date by the applicant on account of the unreasonable duration of the procedure in question by paying to him the sum of EUR 10 000, or such greater or lesser sum as the Tribunal may deem to be just and fair;
- Order the Commission to pay to the applicant, from the day following that on which the request of 23 November 2010 was received by the Commission until actual payment of the sum of EUR 10 000, interest on that sum, with annual capitalisation, at the rate of 10 % per annum;
- Order the Commission to pay the costs.

Action brought on 9 February 2012 — ZZ and ZZ v Commission**(Case F-18/12)**

(2012/C 138/78)

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

Applicants: ZZ and ZZ (represented by: D. Abreu Caldas, A. Coolen, J.-N. Louis, É. Marchal and S. Orlandi, lawyers)

Defendant: European Commission**Subject-matter and description of the proceedings**

Annulment of the decisions transferring pension rights acquired before entry into Commission service on the basis of the re-calculated PMO proposal.

Form of order sought

- Annul the decisions annulling and replacing the proposals for transfer of the applicants' pension rights pursuant to their application under Article 11(2) of Annex VIII to the Staff Regulations, which contain a new proposal calculated on the basis of the general implementing provisions adopted on 3 March 2011;
- Order the Commission to pay the costs.

Action brought on 13 February 2012 — ZZ v Commission**(Case F-19/12)**

(2012/C 138/79)

*Language of the case: Italian***Parties**

Applicant: ZZ (represented by: G. Cipressa, lawyer)

Defendant: European Commission**Subject-matter and description of the proceedings**

Application for annulment of the Commission's note concerning the applicant's administrative status and for compensation for damage.

Form of order sought

- Declare that there is no legal basis for or, in the alternative, annul the undated note, bearing in the top right hand corner of the first of its two pages, the reference 'Ref Ares (2011)217354 — 28/02/2011' (sic), the details and content of which first came to the applicant's attention on a date not before 6 April 2011;
- In so far as necessary, annul the decision, whatever the form in which it was adopted, rejecting the complaint of 15 May 2011 sent by the applicant to the Commission against the note of 28 February 2011;
- Annul the note of 14 September, received by the applicant on a date not before 20 October 2011;