

Form of order sought

- The annulment of the decision not to renew the Applicant's contract;
- the annulment of the decision to transfer the Applicant's to another department;
- the compensation of the Applicant's material prejudice estimated at 1 320 Euro par month from September 2012, to which be added late interest at the key rate of the European Central Bank plus two percentage points;
- the compensation of the Applicant's moral prejudice estimated at 50 000 Euros;
- the order for the Defendant to pay the costs.

Action brought on 19 March 2012 — ZZ v Court of Auditors**(Case F-39/12)**

(2012/C 138/89)

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

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

Defendant: European Court of Auditors

Subject-matter and description of the proceedings

Annulment of the decision of the Court of Auditors rejecting an application seeking acknowledgment of unlawful conduct which is alleged to have caused the applicant to suffer material and non-material damage.

Form of order sought

- Annul the decision rejecting the complaint of 7 December 2011 brought against the decision by the head of the Court of Auditors rejecting ZZ's application seeking acknowledgment of unlawful conduct which has caused him to suffer damage and has given rise to the non-contractual liability of the European Union;
- order the Court of Auditors to pay compensation for the purposes of making good the non-material damage suffered in the amount of EUR 50 000 and the material damage suffered in the amount of, on the one hand, the difference between the amount of remuneration to which the applicant would have been entitled if he had had an average career progression and his current grade and, on the other hand,

the difference between the amount of remuneration to which he would have been entitled if he had continued his career until the statutory retirement age and his current pension;

- order the Court of Auditors to pay the costs.

Action brought on 21 March 2012 — ZZ v Parliament**(Case F-41/12)**

(2012/C 138/90)

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

Applicant: ZZ (represented by: R. Adam and P. Ketter, lawyers)

Defendant: European Parliament

Subject-matter and description of the proceedings

Application for (i) annulment of the European Parliament's decision terminating the applicant's contract as a member of the temporary staff appointed for an indefinite period and (ii) for compensation.

Form of order sought

- Annul the decision of the Parliament of 20 June 2011 terminating the applicant's contract as a member of the temporary staff appointed for an indefinite period;
- so far as is necessary, annul the express decision of the European Parliament rejecting the complaint;
- reinstate the applicant at the European Parliament;
- in the alternative and if, contrary to all probability, the Tribunal should conclude that that no reinstatement was possible, such reinstatement being in the interests of neither the applicant nor the European Parliament, order the European Parliament to pay 36 months' salary by way of compensation for material damage, or alternatively any other amount to be assessed *ex aequo et bono*, in addition to EUR 15 000 by way of compensation for non-material damage;
- in any event, order the Parliament to pay EUR 15 000 by way of compensation for non-material damage;
- reserve to the applicant all other rights, remedies, pleas and actions, in particular with regard to (i) claiming additional damages for the harm suffered by reason of the Parliament's wrongful conduct, (ii) producing additional evidence and (iii) calling the relevant witnesses;