

- annul the promotion points awarded by Eurostat and the AIPN;
- annul the decision rejecting the pre-litigation complaint regarding its vexatious and hurtful nature, to the point of causing non-material damage equivalent to 10 days pay without prejudice at EUR 2 500, calculated on the bases of 1/30th of the monthly remuneration per day compensated;
- order the Commission to pay the costs.

Action brought on 4 July 2012 — ZZ v EEAS

(Case F-70/12)

(2012/C 258/53)

Language of the case: French

Parties

Applicant: ZZ (represented by: D. Abreu Caldas, S. Orlandi, A. Coolen, É. Marchal, lawyers)

Defendant: European External Action Service

Subject-matter and description of the proceedings

Annulment of the decision not to promote the applicant to Grade AD 13 in the 2011 promotion exercise.

Form of order sought

- Annul the decision of 15 November 2011 not to promote the applicant to Grade AD 13 in the 2011 promotion exercise;
 - Order the EEAS to pay the costs.
-

Action brought on 9 July 2012 — ZZ v Commission

(Case F-72/12)

(2012/C 258/54)

Language of the case: French

Parties

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

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the Commission's decision relating to the recovery of a certain amount of the remuneration of the applicant, formerly a member of the temporary staff at Grade A4 (AD12), then an official at Grade AD6, pursuant to Article 85 of the Staff Regulations.

Form of order sought

- Annul the decision of 20 December 2011 to proceed with the recovery of the sum of EUR 172 236,42 pursuant to Article 85 of the Staff Regulations;
 - in the alternative, order the Commission to compensate the applicant in the amount of EUR 172 236,42, or, in the further alternative, in the amount of the sums overpaid until the day on which the irregularity was discovered but not corrected, or, in the further alternative, in the amount of the sums overpaid until November 2010, when the applicant's multiplication factor was eventually corrected;
 - order the European Commission to pay the costs.
-