



Reports of Cases

ORDER OF THE PRESIDENT OF THE THIRD CHAMBER OF THE EUROPEAN UNION CIVIL SERVICE TRIBUNAL

12 November 2015*

(Amicable settlement — Article 90(1) of the Rules of Procedure — Agreement between the parties on the initiative of the Tribunal — Removal from the register)

In Case F-41/15 DISS I,

ACTION brought under Article 270 TFEU,

FL, former member of the temporary staff of the European Police College, residing in Reading (United Kingdom),

FM, former member of the contract staff of the European Police College, residing in Basingstoke (United Kingdom),

FO, former member of the contract staff of the European Police College, residing in Tadley (United Kingdom),

represented by L. Levi and A. Blot, lawyers,

applicants,

v

European Police College (CEPOL), represented by F. Bánfi and R. Woldhuis, acting as Agents, assisted by B. Wägenbaur, lawyer,

defendant,

THE PRESIDENT OF THE THIRD CHAMBER OF THE CIVIL SERVICE TRIBUNAL

makes the following

* Language of the case: English.

Order

- 1 By application lodged at the Tribunal Registry on 9 March 2015, FK and six other applicants brought the present action seeking, initially:
 - the annulment of the decision of the European Police College (CEPOL) dated 23 May 2014 providing for the relocation of that agency to Budapest (Hungary) and informing its staff that any refusal to continue their employment at the new seat ‘will be considered as resignation [taking] effect [on] 30 September 2014’;
 - the annulment of CEPOL’s various decisions dated 28 November 2014, rejecting the complaints lodged by the initial applicants individually between 8 and 21 August 2014;
 - the annulment of two decisions dated 22 December 2014 by which CEPOL claimed to have accepted the resignation of FM and FO respectively;
 - compensation in respect of the material and non-material harm incurred.
- 2 By letter of 14 July 2015, the Tribunal requested the initial applicants to state their views, pursuant to Article 44(1) and (2) of the Rules of Procedure, on the potential separation of their cases. Those applicants having lodged their observations in that connection on 2 September 2015, the President of the Third Chamber, by order of 16 September 2015 in *FK and Others v CEPOL* (F-41/15, EU:F:2015:104), decided, with a view to the sound administration of justice, to separate from the case of FK the cases of, first, FL, FM and FO and, secondly, those of the three other applicants respectively.
- 3 By letter of 14 July 2015, the Registry also informed the parties of the Tribunal’s decision to apply Article 90(1) of the Rules of Procedure and to instruct the Judge-Rapporteur to seek an amicable settlement of the dispute.
- 4 Following an exchange of correspondence between, on one hand, the Tribunal, and, on the other hand, the applicants and the defendant, the latter parties agreed on the definitive terms of an amicable settlement which also dealt with costs. The parties informed the Tribunal of that fact by letters of 9 and 6 October 2015 respectively, supplemented by a letter from the applicants dated 30 October 2015, in which they further indicated that the settlement was a comprehensive agreement which also included the amicable settlement of the dispute which gave rise to Case F-105/05, *FM and FO v CEPOL*.
- 5 Having regard to the foregoing, it is necessary, in accordance with Article 91(1) of the Rules of Procedure, to record the agreement between the parties on the amicable settlement concluded on the initiative of the Tribunal and to remove the present case from the register of the Tribunal.
- 6 Under Article 91(3) of the Rules of Procedure, where there is an agreement between the parties as to costs, the decision made follows that agreement. The costs are therefore to be borne by each of the parties in accordance with the terms of their agreement.

On those grounds,

THE PRESIDENT OF THE THIRD CHAMBER OF THE CIVIL SERVICE TRIBUNAL

hereby orders:

1. **Case F-41/15 DISS I shall be removed from the register of the Tribunal.**

- 2. CEPOL shall bear its own costs in connection with the cases of FL, FM and FO and pay the costs incurred by FL, FM and FO in accordance with the terms of the agreement concluded between them.**

Luxembourg, 12 November 2015.

W. Hakenberg
Registrar

S. Van Raepenbusch
President