

— and to pay for all costs.

Pleas in law and main arguments

The applicant explains that the Office for Harmonisation in the Internal Market (OHIM) published an advertisement for a job as a lawyer-linguist. Before going to the trouble of sending in a full application pack for the job, he wrote to check that his age would not be held against him. In answer to his letter, the OHIM sent him the application forms, stressed the importance of relevant 'qualifications and experience', and raised no objection to his age. Nevertheless, in August 2000 he was rejected on the grounds that he was a year older than the OHIM wished.

In these circumstances, the applicant claims compensation on the basis of the illegality of the OHIM's decision on the grounds of discrimination in the OHIM's employment procedure (ageism) and breach of vested rights and legitimate expectations.

Action brought on 27 November 2000 by Justina Martínez Alarcón against the Commission of the European Communities

(Case T-357/00)

(2001/C 61/29)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 27 November 2000 by Justina Martínez Alarcón, residing in Brussels, represented by Carlos Mourato, of the Brussels Bar.

The applicant claims that the Court should:

- annul the decisions dated 28 January 2000 and 24 February 2000 of the selection board in competition COM/TB/99, deciding not to admit the applicant to that competition, and the implicit decision of the appointing authority dated 28 August 2000 giving a negative response to the complaint submitted by the applicant;
- alternatively, order the defendant to pay to the applicant the sum of BEF 3 160 000, subject to alteration during the course of the proceedings, by way of compensation for material and non-material damage;
- order the defendant to pay the costs.

Pleas in law and main arguments

The applicant, a grade C Commission official, is contesting the Commission's decision refusing to admit her to the tests in competition COM/TB/99 for the constitution of a reserve list of administrative assistants, senior administrative assistants and principal administrative assistants (grades B5/B4, B3/B2 and B1), on the ground that she did not possess the professional experience required in category B.

The applicant complains that the Commission unlawfully refused to take account of the professional experience gained by her in a category C job at a level corresponding to the duties to be performed.

Although the competition notice may have provided that the candidates were to have acquired the professional experience relating to category B, that condition and the contested decision taken on the basis of the notice are equally vitiated by illegality.

Action brought on 27 November 2000 by Antonio Cherenti against the Commission of the European Communities

(Case T-361/00)

(2001/C 61/30)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 27 November 2000 by Antonio Cherenti, residing at Thuin (Belgium), represented by Carlos Mourato, of the Brussels Bar.

The applicant claims that the Court should:

- annul the decision dated 28 January 2000 of the selection board in competition COM/TB/99, deciding not to admit the applicant to that competition, and the implicit decision of the appointing authority dated 7 September 2000 giving a negative response to the complaint submitted by the applicant;
- alternatively, order the defendant to pay to the applicant the sum of BEF 7 350 000, subject to alteration during the course of the proceedings, by way of compensation for material and non-material damage;
- order the defendant to pay the costs.

Pleas in law and main arguments

The pleas in law and arguments are similar to those put forward in Case T-357/00 Martínez Alarcón v Commission.

Action brought on 27 November 2000 by Luigia Dricot against the Commission of the European Communities

(Case T-363/00)

(2001/C 61/31)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 27 November 2000 by Luigia Dricot, residing at Overijse (Belgium), represented by Carlos Mourato, of the Brussels Bar.

The applicant claims that the Court should:

- annul the decisions dated 28 January 2000 and 24 February 2000 of the selection board in competition COM/TB/99, deciding not to admit the applicant to that competition, and the implicit decision of the appointing authority dated 28 August 2000 giving a negative response to the complaint submitted by the applicant;
- alternatively, order the defendant to pay to the applicant the sum of BEF 500 000, subject to alteration during the course of the proceedings, by way of compensation for material and non-material damage;
- order the defendant to pay the costs.

Pleas in law and main arguments

The pleas in law and arguments are similar to those put forward in Case T-357/00 Martínez Alarcón v Commission.

Action brought on 27 November 2000 by Sophie Van Weyenbergh against the Commission of the European Communities

(Case T-364/00)

(2001/C 61/32)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 27 November 2000 by Sophie Van Weyenbergh, residing at Tervuren (Belgium), represented by Carlos Mourato, of the Brussels Bar.

The applicant claims that the Court should:

- annul the decision dated 28 January 2000 of the selection board in competition COM/TB/99, deciding not to admit the applicant to that competition, and the implicit decision of the appointing authority dated 9 October 2000 giving a negative response to the complaint submitted by the applicant;
- alternatively, order the defendant to pay to the applicant the sum of BEF 2 941 667, subject to alteration during the course of the proceedings, by way of compensation for material and non-material damage;
- order the defendant to pay the costs.

Pleas in law and main arguments

The pleas in law and arguments are similar to those put forward in Case T-357/00 Martínez Alarcón v Commission.

Action brought on 30 November 2000 by Scott S.A. against the Commission of the European Communities

(Case T-366/00)

(2001/C 61/33)

(Language of the case: English)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 30 November 2000 by Scott S.A., a company registered in France, represented by Jeremy Lever QC and George Peretz, Barristers and Robin Griffith, Solicitor of Clifford Chance, London.