

Action brought on 24 March 2004 by Willem Goris against the Commission of the European Communities

(Case T-126/04)

(2004/C 118/107)

(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 24 March 2004 by Willem Goris, resident in Strassen (Luxembourg), represented by Nicolas Lhoëst, lawyer, with an address for service in Luxembourg.

The applicant claims that the Court of First Instance should:

- annul the decision of the appointing authority of 5 May 2003 inasmuch as it:
 - did not classify the applicant in Grade B4, step 3, at the time of his recruitment;
 - did not reconstitute the applicant's career in terms of his grade by bringing forward the date of his promotion to Grade B3 and granting him, if it so be, promotion to Grade B2;
 - limited the date of effect of the reclassification decision in regard to its pecuniary effects to 5 October 1995;
- in so far as necessary annul the implied decision of the appointing authority of 14 December 2003, rejecting his complaint R/487/03;
- order the defendant to pay compensation provisionally set in the amount of EUR 125 000 per annum in the event that, owing to impossibility, it is unable to reconstitute the applicant's career in terms of his grade;
- order the defendant to pay all the costs.

Pleas and main arguments

The applicant in these proceedings who, on his recruitment in September 1994, was classified in Grade B5, step 3, challenges the decision of the appointing authority classifying him, on revision, in Grade B4, step 2, and not in Grade B4, step 3, refusing to reconstitute his career and limiting the date of effect of the decision on his reclassification to 5 October 1995.

The pleas raised are identical to those in Case T-125/04 Rousseaux v Commission

Action brought on 29 March 2004 by Carla Piccinni-Leopardi against Commission of the European Communities

(Case T-128/04)

(2004/C 118/108)

(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 29 March 2004 by Carla Piccinni-Leopardi, residing in Brussels, represented by Sébastien Orlandi, Albert Coolen, Jean-Noël Louis and Etienne Marchal, lawyers, with an address for service in Luxembourg.

The applicant claims that the Court should:

- annul the Commission decision of 14 April 2003 inasmuch as it fixes the classification at recruitment of the applicant at the second step of her grade, reviews and fixes 1 April 1999 as the date for her classification at Grade A5, Step 3, and restricts the pecuniary effects of its decision to 5 October 1995;
- order the defendant to pay the costs.

Pleas in law and main arguments

The pleas put forward in the present case are the same as those relied on in Case T-402/03 Katalagarianakis v Commission (OJ 2004 C 35, p. 17).

Action brought on 1 April 2004 by Gerhard Frauerwieser against the Commission of the European Communities

(Case T-130/04)

(2004/C 118/109)

(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 1 April 2004 by Gerhard Frauerwieser, resident in Brussels, represented by Gilles Bounéou and Frédéric Frabetti, lawyers, with an address for service in Luxembourg.

The applicant claims that the Court should:

- order the Commission to complete the applicant's individual file by drawing up his staff reports from the time of his employment at the Commission, 1 November 1996, in particular by drawing up his staff reports for the periods 1997-1999 and 1999-2001;