

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 3 February 2005****in Case T-137/03 Ornella Mancini v Commission of the European Communities ⁽¹⁾****(Officials — Post of medical officer — Amendment to the vacancy notice — Misuse of powers — Composition of the Selection Board — Comparative examination of merits — Manifest error of assessment — Equal treatment for men and women — Action for damages)**

(2005/C 93/53)

(Language of the case: French)

In Case T-137/03: Ornella Mancini, official of the Commission of the European Communities, residing in Brussels (Belgium), represented by É. Boigelot, lawyer, against Commission of the European Communities (Agents: C. Berardis-Kayser and G. Berscheid, assisted by B. Wägenbauer, lawyer, with an address for service in Luxembourg) — application, first, for annulment of the Commission's decision not to appoint the applicant to the post of medical officer at the 'Medical service – Brussels' unit and of the decision to appoint another candidate to that post and, second, for damages — the Court of First Instance (Fourth Chamber), composed of H. Legal, President, V. Tiili and M. Vadapalas, Judges; I. Natsinas, Administrator, for the Registrar, gave a judgment on 3 February 2005, in which it:

1. Dismisses the application.
2. Orders each party to bear its own costs.

⁽¹⁾ OJ C 158 of 5.7.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 3 February 2005****in Case T-172/03 Nicole Heurtaux v Commission of the European Communities ⁽¹⁾****(Officials — Refusal of promotion — Absence of statement of reasons — Comparative examination of merits — Action for annulment)**

(2005/C 93/54)

(Language of the case: French)

In Case T-172/03: Nicole Heurtaux, an official of the Commission of the European Communities, residing in Brussels

(Belgium), represented by J.-N. Louis, É. Marchal, A. Coolen and S. Orlandi, lawyers, with an address for service in Luxembourg, against Commission of the European Communities (Agents: by J. Curall and V. Joris, with an address for service in Luxembourg) — application for annulment of the Commission's decision of 14 August 2002 not to promote the applicant to Grade B 2 under the 2002 promotion exercise — the Court of First Instance (Fifth Chamber), composed of P. Lindh, President, J.D. Cooke and D. Šváby, Judges; I. Natsinas, Administrator, for the Registrar, gave a judgment on 3 February 2005, in which it:

1. Annuls the Commission's decision of 14 August 2002 not to promote the applicant to Grade B 2 under the 2002 promotion exercise.
2. Orders the Commission to pay the costs.

⁽¹⁾ OJ C 184 of 2.8.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 16 February 2005****in Case T-284/03 Rosalinda Aycinena v the Commission of the European Communities ⁽¹⁾****(Officials — Appointment to higher grade in career — Classification in step)**

(2005/C 93/55)

(Language of the case: French)

In Case T-284/03: Rosalinda Aycinena, residing in Brussels, represented by J.-N. Louis, E. Marchal, A. Coolen and S. Orlandi, lawyers, with an address for service in Luxembourg, against the Commission of the European Communities (Agent: C. Berardis-Kayser) — action for annulment of the Commission's decision fixing her definitive classification on appointment at Grade LA 6, step 1, the Court of First Instance (Third Chamber), composed of M. Jaeger, President, V. Tiili and O. Czúcz, Judges; H. Jung, Registrar, has given a judgment on 16 February 2005, in which it: