

Furthermore, the applicant submits that Article 2 of the second contested decision is discriminatory against officials whose remuneration falls under the 'Research' credits and who apply for a transfer before two years has expired following their recruitment, since those officials lose their points following the transfer whereas officials who are transferred automatically or who occupy posts considered sensitive retain their points.

Action brought on 13 April 2007 — Skareby v Commission

(Case F-34/07)

(2007/C 129/46)

Language of the case: French

Parties

Applicant: Carina Skareby (Bichkek, Kirghizistan) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- Annul the applicant's Career Development Report (CDR) for 2005;
- Annul, in so far as necessary, the decision of the Appointing Authority (AIPN) rejecting the applicant's appeal;
- Indicate to the AIPN the effects of annulment of the contested decisions and in particular the adoption of a new CDR for 2005, this time in compliance with the statutory rules;
- Order the AIPN to pay to the applicant: i) a sum fixed *ex aequo et bono* at EUR 15 000 in respect of compensation for her non-material damage; ii) a sum fixed *ex aequo et bono* at EUR 15 000 in respect of compensation for the professional injury suffered by her; iii) a sum to be fixed in equity by the Tribunal in respect of her financial loss, late payment interest to run on each of those sums at the legal rate with effect from the date on which they become payable;
- Order the defendant to pay the costs.

Pleas in law and main arguments

In support of her claim, the applicant first alleges failure to comply with the rules governing establishment of the CDR. The administration infringed the rules of procedure established by the general implementing provisions of Article 43 of the Staff Regulations and committed manifest errors of assessment.

The applicant then alleges infringement of the rights of the defence, the principle of sound administration and the duty to have regard for the welfare of officials.

Finally, she alleges that the administration misused its powers and misused the procedure.

Action brought on 19 April 2007 — Lebedef v Commission

(Case F-36/07)

(2007/C 129/47)

Language of the case: French

Parties

Applicant: Giorgio Lebedef (Senningerberg, Luxembourg) (represented by: F. Frabetti, lawyer)

Defendant: Commission of the European Communities

Form of order sought

- annul the applicant's career development report for the period from 1 January 2005 to 31 December 2005, in particular that part of the report drawn up by Eurostat for that period;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of his application, the applicant relies on a single plea in law alleging an infringement of the general measures for the application of Article 43 of the Staff Regulations, specifically, the measures concerning union and statutory staff representatives, breach of the principle of legitimate expectations and of the rule '*patere legem quam ipse fecisti*'.
