

Action brought on 23 April 2007 — Cros v Court of Justice

(Case F-37/07)

(2007/C 129/48)

*Language of the case: French***Parties***Applicant:* Alexia Cros (Howald, Luxembourg) (represented by: E. Reveillaud, lawyer)*Defendant:* Court of Justice of the European Communities**Form of order sought**

- Annul the decision of the Appointing Authority (AIPN) of 19 July 2006 appointing the applicant probationary official as a lawyer-linguist with effect from 1 September 2006 in that she is classified at grade AD7;
- Declare and hold that, retroactively to the date of appointment of 1 September 2006, the applicant is to be classified at grade A*10 corresponding to grade LA6 before the entry into force of Council Regulation (EC, Euratom) No 723/2004 of 22 March 2004 amending the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities ⁽¹⁾;
- Order the full reconstitution of her career with effect retroactively to 1 September 2006;
- Order the defendant to pay the costs.

Pleas in law and main arguments

The applicant submits that the contested decision, based on Article 12 of Annex XIII to the Staff Regulations, infringes:

- notice of open competition CJ/LA/24 ⁽²⁾, pursuant to which the recruitment of successful candidates would be made at grade LA7/LA6;
- the principle of equal treatment;
- the principle of legitimate expectations and the principles of sound administration, transparency and the duty to have regard to the welfare of officials.

⁽¹⁾ OJ L 124, 27.4.2004, p. 1.

⁽²⁾ OJ C 182 A, 31.7.2002, p. 1.

Action brought on 23 April 2007 — Campos Valls v Council

(Case F-39/07)

(2007/C 129/49)

*Language of the case: French***Parties***Applicant:* Manuel Campos Valls (Brussels, Belgium) (represented by: S. Orlandi, J.-N. Louis, A. Coolen and E. Marchal, lawyers)*Defendant:* Council of the European Union**Form of order sought**

- annul the decision of the Appointing Authority (AIPN) to reject the applicant's candidature for the post of head of the Spanish Language Unit of DG A, Directorate 3 — Translation and Document Production — Language Service and the decision appointing another candidate to that post;
- 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 based on infringement of vacancy notice No 60/06, manifest error of assessment and infringement of Article 45 of the Staff Regulations, inasmuch as the candidate selected to fill the position does not have, unlike the applicant, the technical knowledge of translation required by the vacancy notice. In particular, the argument relied on by the Council that that knowledge had to be assessed in the light of the staff management functions which the head of unit has to carry out fails to have regard to the vacancy notice.

Action brought on 30 April 2007 — Baudalet-Leclaire v Commission

(Case F-40/07)

(2007/C 129/50)

*Language of the case: French***Parties***Applicant:* Cécile Baudalet-Leclaire (Brussels, Belgium) (represented by: M. Korving, lawyer)*Defendant:* Commission of the European Communities