

- order the defendant to make good the non-material damage suffered, evaluated provisionally at EUR 50 000, subject to adjustment;
- order the defendant to pay the costs.

#### *Pleas in law and main arguments*

Until 1 May 2002, the applicant, an official at the Office for Harmonization in the Internal Market (OHIM), held the post of Head of Service of the Cancellation Division. By the decision being contested in the present action, the applicant was transferred as legal adviser to Vice-President for Legal Affairs. In support of his claims for annulment, the applicant pleads:

- erroneous and inadequate statement of reasons for the decision of 22 April 2002;
- breach of the principle of proportionality and of freedom of expression;
- infringement of the rights of defence, in particular the right to be heard;
- breach of the principle of sound administration; and
- breach of the duty to have regard for the welfare of officials.

#### **Action brought on 3 March by Tomás Salazar Brier against Commission of the European Communities**

**(Case T-83/03)**

(2003/C 101/92)

*(Language of the case: Spanish)*

An action against Commission of the European Communities was brought before the Court of First Instance of the European Communities on 3 March 2003 by Tomás Salazar Brier, residing in Brussels, represented by Ramón García-Gallardo Gil-Fournier and Dolores Domínguez Pérez, Members of the Madrid and La Coruña Bars respectively.

The applicant claims that the Court should:

- declare invalid the decision of 24 February 2003, implicit in the Commission's silence, refusing to grant an expatri-

ation allowance and, therefore, the other related allowances, in accordance with the Lozano case-law;

- order the defendant to pay the costs.

#### *Pleas in law and main arguments*

The pleas in law and main arguments are those put forward earlier in Case T-205/02 Salvador García v Commission <sup>(1)</sup>, Case T-298/02 Ana Herero Romeu v Commission <sup>(2)</sup> and T-299/02 Dedeu v Commission <sup>(2)</sup>.

<sup>(1)</sup> OJ C 219 of 14 September 2002, p. 22.

<sup>(2)</sup> OJ C 289 of 23 November 2002, p. 38.

#### **Removal from the register of Case T-305/01 <sup>(1)</sup>**

(2003/C 101/93)

*(Language of the Case: French)*

By order of 29 January 2003 the President of the Third Chamber of the Court of First Instance of the European Communities ordered the removal from the register of Case T-305/01: Thalassa Seafoods S.A. v Commission of the European Communities.

<sup>(1)</sup> OJ C 56 of 2.3.2002.

#### **Removal from the register of Case T-84/02 <sup>(1)</sup>**

(2003/C 101/94)

*(Language of the Case: French)*

By order of 30 January 2003 the President of the First Chamber of the Court of First Instance of the European Communities ordered the removal from the register of Case T-84/02: Armand de Buck v Commission of the European Communities.

<sup>(1)</sup> OJ C 131 of 1.6.2002.