

Action brought on 21 March 2006 — Campoli v Commission

(Case F-33/06)

(2006/C 131/94)

*Language of the case: French***Parties***Applicant(s):* Franco Campoli (London, United Kingdom) (represented by: S. Rodrigues and A. Jaume, avocats)*Defendant:* Commission of the European Communities**Form of order sought**

- Annul, first, the decision of the Appointing Authority challenged in the complaint brought by the applicant on 10 August 2005 which, from 1 May 2004, amended the correction coefficient, the household allowance and the flat-rate education allowance applicable to the applicant's pension and, second, the applicant's salary statements in so far as they apply that decision with effect from March 2005;
- Specify to the Appointing Authority the effects of the annulment of the contested decisions, and in particular the application of the correction coefficient, the household allowance and the flat-rate education allowance applicable to the applicant's pension before 1 May 2004, and with retroactive effect from 1 May 2004;
- Order the Commission of the European Communities to pay the costs.

Pleas in law and main arguments

In support of his action, the applicant advances pleas very similar to those which he had already advanced in Case T-135/05 ⁽¹⁾.

⁽¹⁾ OJ C 132 of 28.05.2005, p. 33.

Action brought on 5 April 2006 — Martin Magone v Commission

(Case F-36/06)

(2006/C 131/95)

*Language of the case: French***Parties***Applicant(s):* Alejandro Martin Magone (Brussels, Belgium) (represented by: E. Boigelot, avocat)*Defendant:* Commission of the European Communities**Form of order sought**

- Annul the decision of 7 June 2005 of the Director General of ECHO in his capacity as Appeal Assessor which was flawed in so far as it definitively confirms and approves the applicant's Career Development Report (CDR) for the period from 1 January 2004 to 15 September 2004;
- Annul the disputed CDR;
- Annul the decision of 22 December 2005 of the Appointing Authority, received on 5 January 2006, rejecting the complaint brought under Article 90(2) of the Staff Regulations of Officials on 6 September 2005 and seeking annulment of the contested decision;
- Declare that the applicant is the victim of harassment at work;
- Award damages for pecuniary and non-pecuniary loss, loss of career prospects, equitable damages in the sum of EUR 29 000 or in an amount to be assessed by the Court;
- Order the Commission of the European Communities to pay the costs.

Pleas in law and main arguments

In support of his action, the applicant alleges an infringement of Article 12a, the second paragraph of Article 25, Article 26 and Article 43 of the Staff Regulations and of the rules for implementing Article 43, as adopted by the Commission on 3 March 2004, an infringement of the Commission decision of 28 April 2004 guaranteeing rates of pay, of the Administrative Guide and of the Guidelines in that regard, misuse of powers and infringement of the general principles of law, including respect for the rights of the defence, the principle of sound administration and the duty to have regard to the welfare of individuals, the principle of equality and infringement of the principles which impose a duty on the Appointing Authority to adopt decisions only on the basis of legally admissible grounds, that is which are relevant and not vitiated by manifest errors of assessment of fact or law.