

**Order of the Civil Service Tribunal of 31 May 2006 —  
Frankin and Others v Commission**

(Case F-91/05) <sup>(1)</sup>

**(Pension — Transfer of pension rights acquired in Belgium  
— Dismissal of the applicants' requests for assistance)**

(2006/C 165/67)

Language of the case: French

**Parties**

*Applicants:* Frankin and Others (Sorée, Belgium) (represented by: F. Frabetti, lawyer)

*Defendant:* Commission of the European Communities (represented by: D. Martin and L. Lozano Palacios, Agents)

**Re:**

First, annulment of the implicit refusal by the Commission to offer the applicants its assistance pursuant to Article 24 of the Staff Regulations of Officials of the European Communities and, second, damages for losses the applicants claim to have suffered as a result of that refusal.

**Operative part of the order**

1. *The action is dismissed as inadmissible;*
2. *The parties are ordered to bear their own costs.*

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<sup>(1)</sup> OJ C 315 of 10.12.2005 (case initially registered before the Court of First Instance of the European Communities under Case T-359/05 and transferred to the Civil Service Tribunal of the European Union by order of 15.12.2005)

**Order of the President of the Civil Service Tribunal of 31  
May 2006 — Bianchi v European Training Foundation**

(Case F-38/06 R)

**(Proceedings for interim relief — Application for suspension  
of operation and for interim measures)**

(2006/C 165/68)

Language of the case: French

**Parties**

*Applicant:* Irène Bianchi (Turin, Italy) (represented by: M.-A. Lucas, lawyer)

*Defendant:* European Training Foundation (represented by: M. Dunbar, Director, assisted by G. Vandersanden, lawyer)

**Re:**

First, suspension of execution of the decision of 24 October 2005 by which the European Training Foundation refused to renew the applicant's temporary agent contract and, second, the granting of interim measures.

**Operative part of the order**

1. *The application for interim measures is dismissed.*
2. *Costs are reserved.*

**Action brought on 8 May 2006 — Kerstens v Commission**

(Case F-59/06)

(2006/C 165/69)

Language of the case: French

**Parties**

*Applicant:* Petrus J.F. Kerstens (Overijse, Belgium) (represented by: C. Mourato, lawyer)

*Defendant:* Commission of the European Communities

**Form of order sought**

The applicant claims that the Tribunal should:

- Annul the Appointing Authority's decision of 11 July 2005 adopting the applicant's Career Development Report (CDR) for the year 2004;
- Annul the Appointing Authority's express decision of 6 February 2006 rejecting the applicant's complaint No R/769/05;
- Order the Commission of the European Communities to pay the costs.

**Pleas in law and main arguments**

The applicant, a Commission official, challenges the merit points and markings contained in his CDR for the year 2004. He pleads infringement of the appraisal procedure rules and of the General Provisions Implementing Article 43 of the Staff Regulations, a manifest error of assessment and infringement of Article 43 of the Staff Regulations. The applicant reserves, lastly, the right to expound a third plea in law alleging misuse of powers.