

- Order the rectification of the remarks made in the contested decision concerning the absence of any remark by the applicant regarding the threat of possible dismissal by the defendant;
- Order the defendant to pay the costs.

Pleas in law and main arguments

The applicant, a former member of the temporary staff of the European Court of Auditors in Grade A*8, was appointed as a probationary official in Grade A*5, without his agreement being sought beforehand.

In his application, the applicant maintains that the defendant's conduct amounts to breaches of contractual and non-contractual duties. He alleges infringement of the Code of good administrative conduct for the staff of the European Court of Auditors, infringement of Article 25 of the Staff Regulations, as well as infringement of the general principles of the law of the public service relating to sound administration, legitimate expectations and the retention of acquired rights.

Action brought on 28 July 2006 — Vereecken v Commission

(Case F-86/06)

(2006/C 237/33)

Language of the case: French

Parties

Applicant: Marc Vereecken (Brussels, Belgium) (represented by: S. Rodrigues, A. Jaume and C. Bernard-Glanz, lawyers)

Defendant: Commission of the European Communities

Form of order sought

The applicant claims that the Court should:

Principally:

- annul the decision of the Appointing Authority refusing the applicant's objection, taken together with the refusal of the Appointing Authority to put the applicant on the list of officials promoted to grade A*9 in the 2005 promotion exercise, that refusal resulting implicitly from Administrative Notice No 85/2005 of 23 November 2005, as well as with the applicant's career progress reports for the years 2003 and 2005;
- indicate to the Appointing Authority the effects of the annulment of the contested decisions, in particular, the

reclassification of the applicant at grade A*9 with retrospective effect from 1 March 2005.

In the alternative:

- require the defendant to recognise that the applicant is eligible for promotion to grade A*9 at the time of his next promotion;
- order the defendant to pay compensation for the damage suffered by the applicant as a result of not being promoted to grade A*9 as from 1 March 2005;
- order the defendant to pay compensation for non-material damage suffered by the applicant because no staff reports for 1997-1999 were drawn up and the 1999-2001 staff report and the career progress reports for 2003 and 2004 were drawn up late.

In any event:

- order the defendant to pay the costs.

Pleas in law and main arguments

In support of his action, the applicant submits three pleas, very similar to the first, third and fourth pleas relied on in application F-17/06 ⁽¹⁾, brought by the same applicant.

⁽¹⁾ OJ C 96 of 22.04.2006, p. 39.

Action brought on 3 August 2006 — Manté v Council

(Case F-87/06)

(2006/C 237/34)

Language of the case: French

Parties

Applicant: Thierry Manté (Woluwe Saint Pierre, Belgium) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

Defendant: Council of the European Union

Forms of order sought

The applicant claims that the Court should:

- annul the decision of the Council's Appointing Authority of 22 August 2005 refusing to grant the applicant the installation allowance and ordering its recovery;