

**Judgment of the Civil Service Tribunal (Second Chamber)
of 1 March 2007 — Neirinck v Commission**

(Case F-84/05) ⁽¹⁾

**(Officials — Temporary staff — Admissibility — Request
within the meaning of Article 90(1) of the Staff Regulations
— Principle of the protection of legitimate expectations —
Alleged promise to recruit)**

(2007/C 82/115)

Language of the case: French

Parties

Applicant: Wineke Neirinck (Brussels, Belgium) (represented by: G. Vandersanden, L. Levi and C. Ronzi, lawyers)

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

Re:

An application for damages seeking compensation for the loss suffered by the applicant as a result of not having been employed as a member of the temporary staff following an alleged error on the part of the defendant's administration.

Operative part of the judgment

The Tribunal:

1. *dismisses the action;*
2. *orders each party to bear its own costs.*

⁽¹⁾ OJ C 281, 12.11.2005, p. 29 (case initially registered before the Court of First Instance of the European Communities under number T-334/05 and transferred to the Civil Service Tribunal of the European Union by order of 15.12.2005).

**Judgment of the Civil Service Tribunal of 14 February
2007 — Fernández Ortiz v Commission**

(Case F-1/06) ⁽¹⁾

**(Officials — Recruitment — Probationary period —
Dismissal after the end of the probationary period)**

(2007/C 82/116)

Language of the case: Spanish

Parties

Applicant: Fernández Ortiz (Madrid, Spain) (represented by: J. Iturriagoitia Bassas, lawyer)

Defendant: Commission of the European Communities (represented by: F. Clotuche-Duvieusart, L. Lozano Palacios and L. Escobar Guerrero, Agents)

Re:

Annulment of the decision whereby the Commission of the European Communities dismissed the applicant after the end of his probationary period.

Operative part of the judgment

The Tribunal:

1. *Dismisses the application;*
2. *Orders the parties to bear their own costs.*

⁽¹⁾ OJ C 74 of 25.3.2006.

Action brought on 18 December 2006 — Meister v OHIM

(Case F-138/06)

(2007/C 82/117)

Language of the case: German

Parties

Applicant: Herbert Meister (Alicante, Spain) (represented by: Hans-Joachim Zimmermann)

Defendant: Office for Harmonisation in the Internal Market

Form of order sought

- annul the implied decision of rejection by the President of the Office for Harmonisation in the Internal Market (OHIM) of 18 September 2006 taken under Article 90(2) of the Staff Regulations;
- in the alternative, annul the implied decision of rejection by the President of OHIM of 18 September 2006 taken under Article 90(2) of the Staff Regulations and the written decision of rejection by the President of OHIM of 20 September 2006 (dated 18 September 2006);
- in the further alternative, annul the written decision of the President of OHIM of 20 September 2006 which was based on Article 90(2) of the Staff Regulations;