

In support of his action, the applicant pleads, in particular, breach of the first paragraph of Article 31 and of Article 33(1) of the Conditions of employment of other servants of the European Communities (RAA), as interpreted by the Civil Service Tribunal in its judgment of 16 January 2007 in Case F-119/05 *Gesner v OHIM* (not yet reported in the ECR).

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**Action brought on 27 February 2007 — Caló v Commission**

(Case F-14/07)

(2007/C 82/120)

*Language of the case: French*

#### Parties

*Applicant:* Giuseppe Caló (Luxembourg, Luxembourg) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

*Defendant:* Commission of the European Communities

#### Form of order sought

The applicant claims that the Tribunal should:

- annul the decision to dismiss the applicant's candidature for the post of Director of the 'Business Statistics' Directorate of the Statistics Office of the European Communities;
- annul the decision to appoint Mr. X to that post;
- order the defendant to pay the applicant the token sum of EUR 1 by way of damages for a breach of administration;
- order the defendant to pay the costs.

#### Pleas in law and main arguments

The applicant, an official of the defendant, challenged before the Court of First Instance of the European Communities the decision to re-assign him to the duties of Principal Adviser to the DG to which he was assigned <sup>(1)</sup> and the decision to reject his candidature for the post of Director in the same DG <sup>(2)</sup>, and before the Civil Service Tribunal of the European Union <sup>(3)</sup>, the decisions, taken in connection with the reorganisation of the DG Eurostat, to reject his candidature for a Director's post. Now he is contesting the decision to reject his candidature for another post as a Director in the same DG and to appoint another candidate to that post.

In support of his action, the applicant relies on, inter alia, the existence of a manifest error of assessment and the infringement of: (i) Articles 7, 29 and 45 of the Staff Regulations; (ii) the Commission rules on the appraisal, selection and appointment of officials in higher-management posts as defined in a Communication of 22 December 2000; (iii) the rules on the appraisal of higher-management staff of Grades A1 and A2, as defined in a Communication of 10 March 2004; (iv) the vacancy notice COM/2006/164.

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<sup>(1)</sup> Case T-118/04 (OJ C 118 of 30.4.2004, p. 47).

<sup>(2)</sup> Case T-134/04 (OJ C 146 of 29.5.2004, p. 6).

<sup>(3)</sup> Case F-79/06 (OJ C 237 of 30.9.2006, p. 17).

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**Order of the Civil Service Tribunal of 27 February 2007 — Rounis v Commission**

(Case F-78/05) <sup>(1)</sup>

(2007/C 82/121)

*Language of the case: French*

The President of the First Chamber has ordered that the case be removed from the register.

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<sup>(1)</sup> OJ C 271, 29.10.2005, p. 22.

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**Order of the Civil Service Tribunal of 14 February 2007 — Geert Haelterman and Others v Commission**

(Case F-102/06) <sup>(1)</sup>

(2007/C 82/122)

*Language of the case: French*

The President of the Second Chamber has ordered that the case be removed from the register.

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<sup>(1)</sup> OJ C 26, 28.9.2006, p. 35.