

**Form of order sought**

- Annul the decision of 11 April 2007 in so far as it awards the applicant a single additional priority point in the 2003 Promotion procedure, making a total of two priority points and a grand total of 21 points and implicitly refusing his promotion in the 2003 Promotion procedure, and order the defendant to pay compensation;
- order the defendant to pay damages of EUR 5 000;
- order the Commission of the European Communities to pay the costs.

- order the Court of Auditors to pay compensation for the financial loss suffered by the applicant, assessed to the date of lodgement of the present application at the sum of EUR 32 040,32 (that is the applicant's loss of income of EUR 1 232,32 per month from the date of his being compulsorily retired on 1 January 2006 to 1 March 2008);
- order the Court of auditors to pay compensation for the non-material loss suffered by the applicant during more than 14 years, the quantum of damages to be determined later by agreement between the parties;
- order the European Court of Auditors to pay the costs.

**Action brought on 28 February 2008 — Pouzol v Court of Auditors**

(Case F-28/08)

(2008/C 116/68)

*Language of the case: French***Parties**

*Applicant:* Michel Pouzol (Combaillaux, France) (represented by: D. Grisay, I. Andoulsi and D. Piccininno, lawyers)

*Defendant:* European Court of Auditors

**The subject-matter and description of the proceedings**

First, annulment of the Court of Auditors' decision of 29 November 2007, as well as the proposals made to the applicant on 10 May 2007 concerning the transfer of his pension rights acquired in France and, consequently, recognition of the applicant's entitlement to an additional 6 years, 10 months and 1 day of pensionable service, making an overall entitlement of 10 years, 3 months and 24 days of pensionable service, to be reflected in an addition to his pension. Secondly, an order that the defendant pay compensation for the financial and non-material loss suffered by the applicant.

**Form of order sought**

- Annul the Court of Auditors' decision of 29 November 2007 and the proposals made to the applicant on 10 May 2007;
- recognise the applicant's entitlement to an additional 6 years, 10 months and 1 day of pensionable service, making an overall entitlement of 10 years, 3 months and 24 days of pensionable service;
- order the Court of Auditors to reflect that entitlement to years of pensionable service by an addition to the applicant's pension of EUR 1 232,32 per month;

**Action brought on 3 March 2008 — Y v Commission**

(Case F-29/08)

(2008/C 116/69)

*Language of the case: French***Parties**

*Applicant:* Y (Brussels, Belgium) (represented by: N. Lhoëst, lawyer)

*Defendant:* Commission of the European Communities

**The subject-matter and description of the proceedings**

Annulment of the decision of the authority authorised to conclude contracts of employment of 24 May 2007 to dismiss the applicant as a contractual agent as a result of alleged insufficient conduct in the service and compensation for the material and non-material damage suffered.

**Form of order sought**

- Annulment of the decision of the authority authorised to conclude contracts of employment of 24 May 2007 dismissing the applicant as a contractual agent;
- in as far as necessary, annul the Commission's express decision of 16 November 2007 rejecting the complaint lodged by the applicant pursuant to Article 90(2) of the Staff Regulations on 31 August 2007;
- order the Commission to pay the remuneration which the applicant would have continued to receive if the authority authorised to conclude contracts of employment had not terminated the contract of employment prematurely and unlawfully, and all the benefits to which the applicant is entitled;