

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Judgment of the Civil Service Tribunal (Second Chamber) of 9 October 2008 — Nijs v Court of Auditors

(Case F-49/06) <sup>(1)</sup>

(Staff case — Officials — Promotion — 2005 promotion  
procedure)

(2008/C 313/97)

*Language of the case: French*

#### Parties

*Applicant:* Bart Nijs (Bereldange, Luxembourg) (represented by: F. Rollinger, lawyer)

*Defendant:* Court of Auditors of the European Communities (represented by: T. Kennedy, J.-M. Stenier and G. Corstens, Agents)

#### Re:

First, annulment of the decision of the appointing authority not to promote the applicant to grade A\*11 pursuant to the 2005 promotion procedure and, second, a claim for damages.

#### Operative part of the judgment

*The Tribunal:*

1. Dismisses the action as partly inadmissible and partly unfounded;
2. Orders Mr Nijs to pay all the costs.

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<sup>(1)</sup> OJ C 154, 1.7.2006, p. 26.

### Judgment of the Civil Service Tribunal (Second Chamber) of 11 September 2008 — Spee v Europol

(Case F-121/06) <sup>(1)</sup>

(Staff case — Members of the Europol staff — Remuneration  
— Articles 28 and 29 of the Europol Staff Regulations —  
Incremental points awarded on the basis of an assessment —  
Retroactive application of rules — Calculation method)

(2008/C 313/98)

*Language of the case: Dutch*

#### Parties

*Applicant:* David Spee (Rijswijk, Netherlands) (represented by: D. C. Coppens, lawyer)

*Defendant:* European Police Office (Europol) (represented by: Urban and D. Neumann and, subsequently, by D. Neumann and D. El Khoury, Agents, and B. Wägenbaur and R. van der Hout, lawyers)

#### Re:

Annulment of the Europol decision of 5 July 2006 to grant the applicant only one of the two incremental points provided for in Article 29 of the Staff Regulations of Europol.

#### Operative part of the judgment

*The Tribunal:*

1. Dismisses the action;
2. Orders each party to bear its own costs.

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<sup>(1)</sup> OJ C 326, 30.12.2006, p. 84.

### Judgment of the Civil Service Tribunal (Second Chamber) of 4 September 2008 — Dragoman v Commission

(Case F-147/06) <sup>(1)</sup>

(Staff case — Open competition — Non-admission to the oral  
test)

(2008/C 313/99)

*Language of the case: French*

#### Parties

*Applicant:* Adriana Dragoman (Brussels, Belgium) (represented by: S. Mihailescu, and, subsequently, by G.-F. Dinulescu, lawyers)

*Defendant:* Commission of the European Communities (represented by: K. Herrmann and M. Velardo, Agents)

#### Re:

Annulment of the decision of the selection board for open competition EPSO/AD/44/06 CJ, made for the purpose of establishing a reserve list for the recruitment of Romanian-language lawyer-linguists, to award the applicant a mark of 18/40 in written test (b) and not to admit her to the oral test for that competition