

Operative part of the order

1. *The action is dismissed as manifestly inadmissible.*
2. *Mr Marcuccio is ordered to pay the costs.*

(¹) OJ C 247, 20.10.2007, p. 45.

Action brought on 6 November 2008 — Pleijte v Commission**(Case F-91/08)**

(2009/C 6/93)

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

Applicant: Johanna Gerdina Pleijte (Senningerberg, Luxembourg) (represented by: P. Nelissen Grade, lawyer)

Defendant: Commission of the European Communities

Subject-matter and description of the proceedings

Action for annulment of the decision of the appointing authority not to include the applicant's name on the provisional list of preselected officials in the context of the 2007 certification exercise and to subtract the length of a period of leave on personal grounds from the 10-year period which was taken into account in order to establish her length of service for the purposes of that certification procedure

Form of order sought

- Annul the decision of the appointing authority of 7 August 2008 rejecting the applicant's complaint;
- Annul the appointing authority's decision not to include the applicant's name on the provisional list of preselected officials in the context of the 2007 certification exercise;
- Add the applicant's name to the list of preselected officials in sufficient time to enable her to take part in the training programme provided for by Article 6 of the GIP;
- Amend the methodology in the administrative notice of 8 January 2008 adopted on the basis of Commission Deci-

sion C(2007) 5694 of 20 November 2007 on the general provisions for the implementation of Article 45a of the Staff Regulations as regards the part relating to the taking into account of experience within the institutions;

- Order the Commission of the European Communities to pay the costs.

Action brought on 19 November 2008 — Marcuccio v Commission**(Case F-94/08)**

(2009/C 6/94)

*Language of the case: Italian***Parties**

Applicant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

Defendant: Commission of the European Communities

Subject-matter and description of the proceedings

Annulment of a note by which the Commission announced its intention to recover a credit relating to procedural costs through a deduction from the invalidity pension paid to the applicant, and an application for damages for the non-pecuniary loss caused by that act.

Form of order sought

- Annulment of the note dated 28 March 2008 and also the contested decision;
- Annulment, in so far as necessary, of the decision to reject the claim dated 19 April 2008;
- Annulment, in so far as necessary, of the note dated 11 August 2008;
- Order the European Commission to compensate the applicant for the non-pecuniary loss caused by the acts annulment of which is sought by the present action, in the amount of EUR 10 000 or such higher or lesser amount as the Court considers appropriate and equitable;
- Order the defendant to pay the costs.