

Action brought on 26 March 2010 — Cuallado Martorell v Commission

(Case F-96/09)

(2010/C 148/95)

Language of the case: Spanish

Parties

Applicant: Eva Cuallado Martorell (Augsburg, Germany) (represented by: M. Díez Lorenzo, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the decisions not to admit the applicant to the oral test of Open Competition EPSO/AD/130/08 and to deny access to the corrected written tests and annulment with retroactive effect of the reserve list published for the appointment of Lawyer linguists having Spanish as their main language.

Form of order sought

- annul the decision of 14 September 2009 by which EPSO refused to send the applicant a copy of her written tests and an individual assessment sheet, in which were indicated the grounds which caused the selection board to award her the eliminatory mark of 18/40 in the final written test (c), and disregarded her application for admission to the oral test of Open Competition AD/130/08;
- annul the decision of 23 July 2009 by which EPSO stated that it was maintaining the eliminatory mark of 18/40 in the last written test (c) and refused the applicant admission to the oral test of Open Competition EPSO/AD/130/08 for the purpose of drawing up a reserve list for the appointment of Lawyer linguists having Spanish as their main language;
- annul the reserve list published following the competition with retroactive effect from the date of publication thereof;

— order the European Commission to pay the costs.

Action brought on 1 April 2010 — Bombín Bombín v Commission

(Case F-22/10)

(2010/C 148/96)

Language of the case: Spanish

Parties

Applicant: Luis María Bombín Bombín (Rome, Italy) (represented by: R. Pardo Pedernera, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the decision of the European Commission, in response to the applicant's complaint, to grant financial compensation in respect of only 12 rather than 29 days of accrued leave which he had not yet taken at the time he began his leave of absence.

Form of order sought

- annul the decision of the European Commission, issued on 4 January 2010, to grant and pay to the applicant financial compensation for only 12 days;
- grant to the applicant (for calculation purposes and in respect of the financial compensation) all the days of leave (in total 29 days) which he had accrued and had not yet taken at the time he began his leave of absence;
- as to costs, the applicant submits no claim, since he considers that the resolution of the present case by the Tribunal is important for the parties, both being in good faith, and the case does not justify claims in respect thereof.