

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Action brought on 29 March 2010 — Marsili v Commission**

(Case F-19/10)

(2010/C 161/91)

*Language of the case: French*

### Parties

*Applicant:* Letizia Marsili (Brussels, Belgium) (represented by: K. Van Maldegem, C. Mereu and M. Velardo, lawyers)

*Defendant:* European Commission

### Subject-matter and description of the proceedings

Annulment of the Commission's decision not to place the applicant on the reserve list for Competition EPSO/AST/51/08 and application for damages for the loss suffered by the applicant.

### Form of order sought

- Annul the decision of the selection board of 17 December 2009 not to place the applicant on the reserve list for Competition EPSO/AST/51/08 and order the defendant to pay damages, provisionally assessed at 1 euro and which will be more precisely defined during the proceedings, as well as compensatory and default interest at 6.75 %, for the material and non-material loss suffered;
- Order the European Commission to pay the costs.

**Action brought on 31 March 2010 — Marcuccio v Commission**

(Case F-21/10)

(2010/C 161/92)

*Language of the case: Italian*

### Parties

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

*Defendant:* European Commission

### Subject-matter and description of the proceedings

Annulment of the decision rejecting the applicant's request for compensation for the damage suffered as a result of the fact that the defendant sent a debit note relating to the fees of the lawyer who assisted him in Case T-241/03 to the lawyer who represented him in that case rather than to the applicant himself.

### Form of order sought

- Annul the implied decision rejecting the request of 23 February 2009.
- In so far as necessary, annul the act, in whatever form, rejecting the complaint of 14 September 2009 against the decision rejecting the request of 23 February 2009.
- In so far as necessary, annul the note of 1 December 2009 written in French received by the applicant on 19 January 2010 enclosed with the attached translation of the note in Italian.
- Order the Commission to make reparation for the material and non-material damage unjustly suffered by the applicant as a result of the fact that the note of 4 December 2006 was prepared and sent to the lawyer who represented him in Case T-241/03 by paying to the applicant the sum of EUR 10 000, or such other sum as the General Court may consider just and equitable.

- Order the Commission to pay to the applicant, with effect from the date following that on which the request of 23 February 2009 was received by the Commission until actual payment of the sum of EUR 10 000, interest on that sum at the rate of 10 % per annum, with annual capitalisation.

- Order the Commission to pay the costs.