

Consequently,

- That the measures sought in her request of 1 October 2009 be taken by the appointing authority;
- that, in particular, she be afforded the protection provided in Article 22(a) of the Staff Regulations;
- that the allegations made against the applicant be withdrawn from the notes of 6 May and 30 September 2008 and that the damage suffered by the applicant be compensated by the award of damages;
- order the Commission to pay the costs.

Action brought on 8 November 2010 — Jacques Biwer and Others v Commission

(Case F-115/10)

(2011/C 30/130)

Language of the case: French

Parties

Applicants: Jacques Biwer (Bascharage, Luxembourg) and Others (represented by: F. Frabetti, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the Commission decision to consider certain financial assistance from a Member State to students in higher education to be an allowance of the same nature as family allowances and to deduct this financial assistance from the education allowance granted to officials who are parents of those students.

Form of order sought

- Annul the decision of the PMO of Luxembourg, not notified to the applicants, by which certain financial assistance from the Luxembourg State, granted by CEDIES to students in higher education in Luxembourg or abroad, is henceforth to be considered to be an allowance of the same nature as those paid under Articles 1, 2 and 3 of Annex VII of the Staff Regulations and, under Article 67(2), is to be deducted from the education allowance granted to officials who are parents of those students;

- annul the applicants' monthly pay slips drawn up in accordance with the abovementioned decision from January 2010 and for the following months, drawing up new, amended pay slips as of January 2010.

- order the Commission to pay the costs.

Action brought on 12 November 2010 — Van Soest v Commission

(Case F-117/10)

(2011/C 30/131)

Language of the case: French

Parties

Applicant: Barry Van Soest (Brussels, Belgium) (represented by: S. Pappas, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the Commission's decision terminating the procedure to recruit the applicant, who was successful in a competition and was included on the reserve list, because he did not hold a secondary education diploma giving access to post-secondary education.

Form of order sought

- Annul decision HRB.2/TV/iu (2010) 6293;
- annul decision HRD.2/AL/db Ares(2010) 511204 rejecting the applicant's complaint against that decision;
- order the Commission to pay the costs.

Action brought on 15 November 2010 — Di Tullio v Commission

(Case F-119/10)

(2011/C 30/132)

Language of the case: French

Parties

Applicant: Roberto Di Tullio (Rovigo, Italy) (represented by: E. Boigelot and S. Woog, lawyers)

Defendant: European Commission