

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Judgment of the Civil Service Tribunal (First Chamber) of 15 February 2011 AH v Commission

(Case F-76/09) <sup>(1)</sup>

*(Civil service — Social security — Articles 72 and 76a of the Staff Regulations — General Implementing Provisions — Reliance on care — Surviving spouse of a retired official — Rejection of the request for reimbursement in full of nursing attendance costs and for financial assistance — Action out of time — Inadmissibility)*

(2011/C 95/19)

Language of the case: English

#### Parties

*Applicant:* AH (Wavre, Belgium) (represented by: J. Temple Lang, solicitor)

*Defendant:* European Commission (represented by: D. Martin and J. Baquero Cruz, agents)

#### Re:

Application for annulment of the decision of 22 June 2009 rejecting the applicant's request for reimbursement in full of the costs resulting from the treatment of her illness.

#### Operative part of the judgment

*The Tribunal:*

1. dismisses the action as inadmissible;
2. orders AH to pay all the costs.

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<sup>(1)</sup> OJ C 297, 05.12.09, p. 36.

### Judgment of the Civil Service Tribunal (First Chamber) of 15 February 2011 — Marcuccio v Commission

(Case F-81/09) <sup>(1)</sup>

*(Civil service — Officials — Invalidity allowance — Error in the calculation — Payment of arrears — Default interest due — Rate applicable — Annual capitalisation Material and non-material damage)*

(2011/C 95/20)

Language of the case: Italian

#### Parties

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

*Defendant:* European Commission (represented by: J. Currall and C. Berardis-Kayser, agents, and A. Dal Ferro, lawyer)

#### Re:

Application for annulment of the Commission's decision rejecting in part the applicant's request for default interest in respect of the payment of the invalidity allowance awarded to him.

#### Operative part of the judgment

*The Tribunal:*

1. dismisses the action;
2. orders the Commission, in addition to bearing its own costs, to pay one quarter of the costs incurred by Mr Marcuccio
3. orders Mr Marcuccio to bear three-quarters of his own costs..

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<sup>(1)</sup> OJ C 312, 19.12.09, p. 44.

### Judgment of the Civil Service Tribunal (Second Chamber) of 8 February 2011 — Skareby v Commission

(Case F-95/09) <sup>(1)</sup>

*(Civil service — Officials — Psychological harassment by a hierarchical superior — Articles 12a and 24 of the Staff Regulations — Request for assistance — Reasonable period — Point from which time starts to run — Length of time)*

(2011/C 95/21)

Language of the case: English

#### Parties

*Applicant:* Carina Skareby (Louvain, Belgium) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

*Defendant:* European Commission (represented by: J. Currall and J. Baquero Cruz, Agents)

#### Re:

Annulment of the defendant's decision not to open an enquiry into the psychological harassment of which the applicant alleges to have been a victim