

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### **Action brought on 13 July 2011 — ZZ v European Commission**

(Case F-67/11)

(2011/C 319/62)

*Language of the case: Italian*

#### **Parties**

*Applicant:* ZZ (represented by: G. Cipressa, lawyer)

*Defendant:* European Commission

#### **Subject-matter and description of the proceedings**

Application for annulment of the decision rejecting the applicant's request relating to the defendant's compliance with the judgment of the Civil Service Tribunal of 9 June 2010 in Case F-56/09 and to the compensation for the harm which the applicant claims to have suffered.

#### **Form of order sought**

- Annul the decision rejecting the request of 28 February 2011;
- Annul, *quatenus opus est*, the note of 24 June 2011;
- Declare that the European Commission has unlawfully failed to adopt the measures necessary for compliance with paragraph 2 of the operative part of the judgment of the Civil Service Tribunal of the European Union of 9 June 2010 in Case F-56/09, with particular reference to the destruction of the photographs referred to in that paragraph and the provision to the applicant of information relating to the destruction;
- Order the European Commission to pay to the applicant the sum of EUR 2 831 by way of compensation for the damage caused to the applicant to date as a result of the failure to adopt all the measures necessary for compliance with the judgment of 9 June 2010, together with interest on that sum at the rate of 10 % per annum, with annual capitalisation, from tomorrow until the date on which the sum of EUR 2 831 is received by the applicant;
- Order the European Commission to pay to the applicant the sum of EUR 12 per day for each additional day of failure on the part of the Commission to adopt all the measures necessary for compliance with the judgment of 9 June 2010, from tomorrow until the 180<sup>th</sup> day following 4 March 2011, together with interest on the sum of EUR 12 per day at the rate of 10 % per annum, with annual capitalisation, from the 181<sup>st</sup> day following 4 March 2011 until the date on which the sum of EUR 12 per day is received by the applicant;

— Order the European Commission to pay to the applicant the sum of EUR 15 per day for each additional day of failure on the part of the Commission to adopt all the measures necessary for compliance with the judgment of 9 June 2010, from the 181<sup>st</sup> day following 4 March 2011 until the 270<sup>th</sup> day following 4 March 2011, together with interest on the sum of EUR 15 per day at the rate of 10 % per annum, with annual capitalisation, from the 271<sup>st</sup> day following 4 March 2011 until the date on which the sum of EUR 15 per day is received by the applicant;

— Order the European Commission to pay to the applicant the sum of EUR 18 per day for each additional day of failure on the part of the Commission to adopt all the measures necessary for compliance with the judgment of 9 June 2010, from the 271<sup>st</sup> day until the 360<sup>th</sup> day following 4 March 2011, together with interest on the sum of EUR 18 per day at the rate of 10 % per annum, with annual capitalisation, from the 361<sup>st</sup> day following 4 March 2011 until the date on which the sum of EUR 18 per day is received by the applicant;

— Order the European Commission to pay to the applicant the sum of EUR 25 per day for each additional day of failure on the part of the Commission to adopt all the measures necessary for compliance with the judgment of 9 June 2010, from the 361<sup>st</sup> day following 4 March 2011 *ad infinitum*, to be paid periodically to the applicant at the end of every 360-day period from the 361<sup>st</sup> day following 4 March 2011;

— Order the European Commission to pay the costs.

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### **Action brought on 1 August 2011 — ZZ v European Commission**

(Case F-76/11)

(2011/C 319/63)

*Language of the case: Italian*

#### **Parties**

*Applicant:* ZZ (represented by: R. Guarino, lawyer)

*Defendant:* European Commission

#### **Subject-matter and description of the proceedings**

Application for annulment of the decision rejecting the applicant's request to be granted the expatriation allowance.