

Action brought on 16 November 2012 — ZZ v Commission**(Case F-142/12)**

(2013/C 26/161)

*Language of the case: French***Parties***Applicant:* ZZ (represented by: B. Cambier and A. Paternostre, lawyers)*Defendant:* European Commission**Subject-matter and description of the proceedings**

The annulment of the decision of the Commission on the application for recognition of occupational disease, which the applicant brought under Article 73 of the Staff Regulations, conferring on him a partial permanent invalidity rate of 20 % and establishing the date of stabilisation as 25 February 2010 and the compensation for his material and non-material damage.

Form of order sought

- Declare the Commission liable for infringement of the principle that action must be taken within a reasonable period and for various faults that it, or its bodies, committed during the investigation of the application for recognition of occupational disease brought by the applicant on the basis of the Article 73 of the Staff Regulations, in so doing;
- annul the decisions of the appointing authority of 11 January and 7 August 2012;
- order the Commission to pay to the applicant and to his family an amount of EUR 100 000 to make good the non-material damage caused specifically to the applicant independently of his illness;
- declare the Commission liable for various faults, committed by it and its bodies, which contributed to the appearance, maintenance and deterioration of the applicant's state of health and order it, consequently, to pay to the applicant the sum of EUR 1 798 650 to compensate him for his material loss and EUR 145 850 in respect of non-material damage and miscellaneous expenditure; that overall amount may be reduced by EUR 268 679,44, which has already been paid to the applicant under Article 73 of the Staff Regulations;
- order the Commission to pay interest at the rate of 12 % on all the abovementioned amounts, from the month of November 2004, the date on which the applicant's application on the basis of Article 73 of the Staff Regulations could have been resolved;
- order the Commission to pay the costs.

Action brought on 21 November 2012 — ZZ v Commission**(Case F-143/12)**

(2013/C 26/162)

*Language of the case: French***Parties***Applicant:* ZZ (represented by: L. Levi, A. Tymen, lawyer)*Defendant:* European Commission**Subject-matter and description of the proceedings**

Annulment of the decision of EPSO not to include the applicant in the list of persons who have passed the tests at the end of the programme training which is part of the certification procedure and a claim for damages.

Form of order sought

- Annul the decision of EPSO of 16 December 2011 excluding the applicant from the list of officials who have received certification under the 2010-2011 certification exercise;
- as necessary, annul the decision of EPSO of 16 August 2012 rejecting the applicant's complaint;
- award damages of EUR 5 000;
- order the Commission to pay all the costs.

Action brought on 21 November 2012 — ZZ v Commission**(Case F-144/12)**

(2013/C 26/163)

*Language of the case: French***Parties***Applicant:* ZZ (represented by: S. Orlandi, A. Coolen, J.-N. Louis, E. Marchal and D. Abreu Caldas, lawyers)*Defendant:* European Commission**Subject-matter and description of the proceedings**

Annulment of the decision on the transfer of the applicant's pension rights under the European Union pension scheme applying the new General Implementing Provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations.