

**Form of order sought**

- Annul the decision, contained in the pension statement for the month of July 2012, to withhold EUR 500 from the invalidity allowance to which the applicant was entitled in respect of that month;
- annul the decisions, contained in the pension statements for the months August to December 2012, to withhold EUR 504.67 from the invalidity allowance to which the applicant was entitled in respect of each of those months;
- in so far as necessary, annul the decisions, whatever the form in which they were adopted, rejecting the complaints of 15 October 2012 and 15 January 2013 against those decisions;
- annul the memorandum of 6 February 2013 together with the annex to that memorandum and a copy of a memorandum of 3 August 2012 purportedly from the Commission's Office for Administration and Payment of Individual Entitlements;
- order the Commission to pay to the applicant the following sums: (1) EUR 500.00, together with interest on that sum at the rate of 10 % per annum and annual capitalisation, with effect from 1 August 2012 until actual payment of that sum; (2) EUR 504.67, together with interest on that sum at the rate of 10 % per annum and annual capitalisation, with effect from 1 September 2012 until actual payment of that sum; (3) EUR 504.67, together with interest on that sum at the rate of 10 % per annum and annual capitalisation, with effect from 1 October 2012 until actual payment of that sum; (4) EUR 504.67, together with interest on that sum at the rate of 10 % per annum and annual capitalisation, with effect from 1 November 2012 until actual payment of that sum; (5) EUR 504.67, together with interest on that sum at the rate of 10 % per annum and annual capitalisation, with effect from 1 December 2012 until actual payment of that sum; (6) EUR 504.67, together with interest on that sum at the rate of 10 % per annum and annual capitalisation, with effect from 1 January 2013 until actual payment of that sum;
- order the Commission to pay the costs.

**Action brought on 9 August 2013 — ZZ v Europol**

(Case F-77/13)

(2013/C 352/53)

*Language of the case: Dutch***Parties***Applicant:* ZZ (represented by: W. Brouwer, lawyer)*Defendant:* Europol**Subject-matter and description of the proceedings**

Annulment of the decision fixing the interest payable on the sum paid on the basis of total incapacity for work following injuries suffered in two accidents while on work-related travel and payment of damages for the harm allegedly suffered.

**Form of order sought**

- Annul the decision of 15 October 2012, in conjunction with that of 13 March 2012 and that of 18 December 2012, respectively;
- annul the implied decision of 10 May 2013 rejecting the claim of 10 January 2013;
- order the defendant to pay the interest due from it on the amount of EUR 170 074,39 paid to the applicant on 14 May 2013, namely:
  - principally: interest due for the period from 21 February 2001 to 14 May 2013, assessed at EUR 138 331,75;
  - in the alternative: interest due for the period from 27 January 2004 to 14 May 2013, assessed at EUR 83 154,25;
  - in the further alternative: at least, the interest due for the period from 27 January 2001 to 1 February 2013, assessed at EUR 80 356,75, at least, from a date to be fixed by the Tribunal in accordance with judicial discretion from which the interest is to fall due, or award an amount of compensation for the harm suffered by the applicant for which the defendant is responsible which takes account of the defendant's omissions;

— order the defendant to pay:

- principally: the interest due from the defendant on the amounts paid under policy WBA&I 2600914, on 3 May 2010, namely:
  - interest from the date on which the debt in respect of the damage to hearing came into being (5 % AMA, EUR 11 344,50), for the period from 11 December 2002, less 15 days (section 4B of the policy), to 3 May 2010, which amounts to EUR 4 875,28;
  - interest from the date on which the debt in respect of the damage to the ankle came into being (9 % AMA, EUR 20 420,12) for the period from the date on which Europol was held liable, 27 January 2004, less 15 days (section 4B of the policy) to 3 May 2010, which amounts to EUR 6 878,71;
  - interest from the date on which the debt in respect of the cognitive damage came into being (16 % AMA, EUR 36 302,41) for the period from the date on which Europol was held liable, 27 January 2004, less 15 days (section 4B of the policy) to 3 May 2010, which amounts to EUR 12 228,81;
- in the alternative: award the applicant an amount for compensation for the damage for which the defendant is responsible which takes account of the defendant's omissions;
- order the defendant to pay the costs of the proceedings, including the representative's fees.

**Action brought on 23 September 2013 — ZZ and Others v European Railway Agency (ERA)**

(Case F-95/13)

(2013/C 352/54)

*Language of the case: French*

**Parties**

*Applicants:* ZZ and Others (represented by: D. Abreu Caldas, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

*Defendant:* European Railway Agency (ERA)

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

Annulment of the decision to not reclassify the applicants' employment contracts as members of the temporary staff for a fixed-term as an employment contracts for an indefinite duration.

**Form of order sought**

- Annul the decision rejecting the applicants' application of 20 December 2012 seeking to reclassify their employment contracts as members of the temporary staff for a fixed-term for the purposes of Article 2(a) of the Conditions of Employment of other Servants of the European Communities (CEOS) as employment contracts for an indefinite duration under Article 8 of the CEOS from the date of their actual entry into force;
- order the European Railway Agency to pay the costs.