

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Judgment of the Civil Service Tribunal (1st Chamber) of 23 October 2013 — Gomes Moreira v ECDC

(Case F-80/11) <sup>(1)</sup>

**(Civil Service — Temporary staff — Anticipated termination of a fixed-term contract — Breach of trust — Disciplinary misconduct)**

(2013/C 377/44)

*Language of the case: French*

#### Parties

*Applicant:* Joaquim Paulo Gomes Moreira (Lisbon, Portugal) (represented by: S. Orlandi, A. Coolen, J.-N. Louis, É. Marchal and D. Abreu Caldas, lawyers)

*Defendant:* European Centre for Disease Prevention and Control (represented by: A. Ammon, Agent, initially, and subsequently R. Trott, Agent, D. Waelbroek and A. Duron, lawyers)

#### Re:

Application for annulment of the decision to terminate the applicant's contract for disciplinary reasons and for payment of a sum by way of compensation for the material and non-material harm allegedly suffered.

#### Operative part of the judgment

*The Tribunal:*

1. Annuls the decision of 11 October 2010 in so far as it suspended the applicant from his duties;
2. Dismisses the action as to the remainder;
3. Orders the parties to bear their own costs.

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<sup>(1)</sup> OJ C 319, 29.10.2011, p. 30.

### Judgment of the Civil Service Tribunal (First Chamber) of 5 November 2013 — Bartha v Commission

(Case F-104/11) <sup>(1)</sup>

**(Civil Service — Open competition EPSO/AD/56/06 — Reopening of the competition procedure — Measures of execution of the judgment in Case F-50/08)**

(2013/C 377/45)

*Language of the case: Hungarian*

#### Parties

*Applicant:* Gabór Bartha (Brussels, Belgium) (represented by: P. Homoki, lawyer)

*Defendant:* European Commission (represented by: J. Currall, B. Bottka, A. Sipos, acting as Agents)

#### Re:

Application for annulment of EPSO decision to reopen the procedure for open competition EPSO/AD/56/06 and the decision of the selection board relating to the results of competition EPSO/AD/56/06 — Administrator grade A5 with Hungarian citizenship and payment of compensation

#### Operative part of the judgment

*The Tribunal:*

1. Dismisses the action;
2. Orders Mr Bartha to bear his own costs and to pay the costs incurred by the European Commission.

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<sup>(1)</sup> OJ C 25, 28.1.2013, p. 68.

### Judgment of the Civil Service Tribunal (First Chamber) of 5 November 2013 — Schönberger v Court of Auditors

(Case F-14/12) <sup>(1)</sup>

**(Civil Service — Officials — Promotion — 2011 promotion procedure — Reference multiplier rates)**

(2013/C 377/46)

*Language of the case: German*

#### Parties

*Applicant:* Peter Schönberger (Luxembourg, Luxembourg) (represented by: O. Mader, lawyer)

*Defendant:* Court of Auditors of the European Union (represented initially by: J.-M. Stenier and B. Schäfer, and subsequently by: B. Schäfer and Í. Ni Riágan Düro, acting as Agents)

#### Re:

Application for annulment of the defendant's decision not to promote the applicant to grade AD 13 in the 2011 promotion procedure

#### Operative part of the judgment

*The Tribunal:*

1. Dismisses the action;