

**Order of the Civil Service Tribunal (Single Judge) of 18 December 2015 — De Nicola v EIB**(Case F-128/11) <sup>(1)</sup>**(Civil Service — EIB staff — Appraisal — 2010 staff report — Contested — Internal procedures — Conditions — Withdrawal — Action — Lack of locus standi — Reasonable time — Failure to comply — Manifestly inadmissible)**

(2016/C 048/112)

Language of the case: Italian

**Parties***Applicant:* Carlo De Nicola (Strassen, Luxembourg) (represented by: L. Isola, lawyer)*Defendant:* European Investment Bank (represented by: G. Nuvoli and T. Gilliams, acting as Agents, and A. Dal Ferro, lawyer)**Re:**

Application seeking, firstly, annulment of the e-mail messages and decisions of the EIB concerning the administrative procedure relating to the applicant's performance appraisal for 2010, secondly, annulment of the decision whereby the President of the EIB refused to instigate the settlement procedure before the Conciliation Board, thirdly, annulment of the applicant's annual appraisal for 2010 in so far as it does not award him 'exceptional performance' or 'very good performance' and does not propose his promotion to Function D and, finally, an order that the EIB pay compensation for the material and non-material damage sustained.

**Operative part of the order**

1. *The action is dismissed as manifestly inadmissible.*
2. *Mr De Nicola shall bear his own costs and pay the costs incurred by the European Investment Bank.*

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<sup>(1)</sup> OJ C 65, 3.3.2012, p. 21.

**Order of the Civil Service Tribunal (2nd Chamber) of 17 December 2015 — López Cabeza v Commission**(Case F-76/14) <sup>(1)</sup>**(Civil Service — Open competition — Competition notice EPSO/AD/248/13 — Non-inclusion on the reserve list — Insufficient mark in the assessment centre tests — Action for annulment — Breach of the competition notice — Illegality of a test)**

(2016/C 048/113)

Language of the case: Spanish

**Parties***Applicant:* Alfonso López Cabeza (Valladolid, Spain) (represented by: G. Suárez de Castro and M. Orman, lawyers)*Defendant:* European Commission (represented by: J. Baquero Cruz and G. Gattinara)**Re:**

Application for annulment of the decision not to include the applicant on the reserve list for Competition EPSO/AD/248/13.