

Re:

Application for annulment of the Commission's decision not to promote the applicant in the 2014 promotion exercise.

Operative part of the judgment

The Tribunal:

1. *Dismisses the action;*
2. *Orders each party to bear its own costs.*

⁽¹⁾ OJ C 320, 28. 9. 2015, p. 57.

Order of the Civil Service Tribunal (Second Chamber) of 24 June 2016 —Simpson v Council

(Case F-142/11 RENV) ⁽¹⁾

(Civil service — Referral back to the Tribunal after setting aside — Officials — Upgrade — Decision not to award the applicant grade AD 9 after he had passed a grade AD 9 open competition — Obligation to state grounds — Equal treatment — Manifest error of assessment — Article 81 of the Rules of Procedure — Action manifestly unfounded)

(2016/C 287/44)

Language of the case: English

Parties

Applicant: Erik Simpson (Brussels, Belgium) (represented by: M. Velardo, lawyer)

Defendant: Council of the European Union (represented by: M. Bauer and E. Rebasti, acting as Agents)

Re:

Application for the annulment of the decision not to promote the applicant to grade AD 9 after he had been successful in competition EPSO/AD/113/07 'Heads of unit (AD 9) in the field of translation having Czech, Estonian, Hungarian, Lithuanian, Latvian, Maltese, Polish, Slovak and Slovene as their main language', and an application for damages.

Operative part of the order

1. *The action is dismissed.*
2. *Mr Simpson shall bear his own costs in Cases F-142/11, T-130/14 P and F-142/11 RENV respectively and pay the costs incurred by the Council of the European Union in Case F-142/11.*
3. *The Council of the European Union shall bear its own costs in Cases T-130/14 P and F 142/11 RENV.*

⁽¹⁾ OJ C 65, 3/3/2012, p. 26 (initial case).