

## EUROPEAN UNION CIVIL SERVICE TRIBUNAL

### Action brought on 9 July 2009 — Apostolov/Commission

(Case F-8/09)

(2009/C 244/26)

*Language of the case: English*

#### Parties

*Applicant:* Svetoslav Apostolov (Saarwellingen, Germany) (represented by: D. Schneider-Addaeh-Mensah, lawyer)

*Defendant:* Commission of the European Community

#### The subject matter and description of the proceedings

Annulment of the decision of 23 October 2008 which rejects the complaint of the applicant contesting the decision to exclude him from the open competition EPSO/CAST27/4/07.

#### Form of order sought

The applicant claims that the Court should:

- annul the decision of the European Commission dated 23 October 2008;
- oblige the European Commission and their specialized services, mainly the European community Personnel selection Office (EPSO), to count the answers given by the applicant to questions 9, 30 and 32 of the competency test of 14.12.2007 as correct;
- in the alternative, allow the applicant to pass again the competency test;
- order the Commission of the European Communities to pay the costs.

### Action brought on 30 July 2009 — Da Silva Pinto Branco v Court of Justice

(Case F-52/09)

(2009/C 244/27)

*Language of the case: French*

#### Parties

*Applicant:* Delfina Da Silva Pinto Branco (Luxembourg, Luxembourg) (represented by: M. Erniquin, lawyer)

*Defendant:* Court of Justice of the European Communities

### Subject-matter and description of the proceedings

First, application for annulment of the decision to dismiss the applicant. Next, application for the applicant to be established as an official or to be reinstated in her post as a probationary official. Lastly, application for damages for non-pecuniary losses suffered.

#### Form of order sought

- annul the decision of the Appointing Authority dated 24 October 2008 and the opinion of the Reports Committee dated 8 October 2008, the two probationary period reports established by the assessor, dated 22 February 2008 and 10 June 2008, respectively, and also the decision of the Appointing Authority dated 18 April 2008 to extend the probationary period;
- establish the applicant as an official as from 1 March 2008, and also grant her entitlement to compensation corresponding to the difference between the remuneration she would have received had she been established as an official on 1 March 2008 and the emoluments she has actually received as from that date until the date of judgment; otherwise, in the alternative, reinstate the applicant in her functions as a probationary official either in the same unit where she was prior to her dismissal or in another unit in the institution in order that she may complete a fresh probationary period;
- order the defendant to pay compensation in the amount of EUR 5 000 by way of damages for non-pecuniary losses suffered;
- order the Court of Justice of the European Communities to pay the costs.

### Action brought on 30 July 2009 — Nikolchov v Commission

(Case F-70/09)

(2009/C 244/28)

*Language of the case: French*

#### Parties

*Applicant:* Vladimir Nikolchov (Brussels, Belgium) (represented by: M. Hammouche, lawyer)

*Defendant:* Commission of the European Communities