

— order the Commission of the European Communities to pay the costs.

Action brought on 2 June 2009 — Dionisio Galao v Committee of the Regions

(Case F-57/09)

(2009/C 180/121)

Language of the case: French

Parties

Applicant: Ana Maria Dionisio Galao (Brussels, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: Committee of the Regions

Subject-matter and description of the proceedings

Application for annulment of the defendant's decision fixing the applicant's conditions of employment as a member of the contract staff under Article 3b of the CEOS, in so far as it limits the duration of the contract to 3 months, and annulment of two addendums to the applicant's contract of employment as a member of the temporary staff, amending the date of expiry of that contract.

Form of order sought

The applicant claims that the Tribunal should:

- annul the decision of the Committee of the Regions of 19 December 2008 in so far as it fixes the applicant's conditions of employment as a member of the contract staff under Article 3b of the CEOS and, specifically, in so far as it limits the duration of that contract to 3 months;
- annul the decision of the Committee of the Regions of 23 October 2008 in so far as it amends, by addendum No 9 to the contract, the applicant's conditions of employment as a member of the temporary staff under the second paragraph of Article 8 of the CEOS and, specifically, in so far as it postpones the date of expiry to 31 December 2008;
- annul the decision of the Committee of the Regions of 22 September 2008 in so far as it amends, by addendum No 8 to the contract, the applicant's conditions of employment as a member of the temporary staff under the second paragraph of Article 8 of the CEOS and, specifically, in so far as it amends the date of expiry of the contract by postponing it from 30 September to 31 December 2008;
- order the Committee of the Regions to pay the costs.

Action brought on 10 June 2009 — Pascual García v Commission

(Case F-58/09)

(2009/C 180/122)

Language of the case: Italian

Parties

Applicant: Pascual García (Madrid, Spain) (represented by: B. Cortese and C. Cortese, lawyers)

Defendant: Commission of the European Communities

Subject-matter and description of the proceedings

Application for annulment of the Commission's decision to recruit the applicant as a technical assistant, with effect from 10 March 2009, with the classification AST3/Grade 2, in so far as it fails to confer on him the rights and remuneration necessary to ensure correct implementation of the judgment of the Civil Service Tribunal in Case F-145/06 *Pascual García v Commission* [2008] ECR-SC I-A-0000 and II-0000.

Form of order sought

- Annul the Commission's decision to recruit the applicant as a technical assistant, with effect from 10 March 2009, with the classification AST3/Grade 2, in so far as it fails to confer on him the rights and remuneration necessary to ensure correct implementation of the judgment of the Civil Service Tribunal in Case F-145/06 *Pascual García v Commission*, and in particular:
 - (a) in so far as it fails to provide that the applicant's qualifying period of service is to be calculated from 1 April 2006 for the purposes of advancement within the classification and the calculation of pension rights and all other relevant purposes;
 - (b) in so far as it denies the applicant's right to the expatriation allowance in Article 4(1) of Annex VII to the Staff Regulations;
- annul, in so far as necessary, the decision of 10 March 2009 to reject the applicant's complaint of the same date seeking to secure the rights and remuneration necessary to ensure correct implementation of the judgment of the Civil Service Tribunal in Case F-145/06 *Pascual García v Commission*, including the emoluments and various allowances that have not been paid, together with default interest;
- in the alternative, order the Commission to pay compensation for damages corresponding to the non-recognition of the expatriation allowance;
- order the defendant to pay the costs.