

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders Mr Sukup to pay all the costs.

⁽¹⁾ OJ C 267, of 07.11.2009, p. 84.

Judgment of the Civil Service Tribunal (Second Chamber) of 26 May 2011 — Kalmár v Europol

(Case F-83/09) ⁽¹⁾

(Staff case — Europol staff — Dismissal — Request for annulment — Payment of remuneration — Effect of judgment ordering annulment)

(2011/C 252/109)

Language of the case: Dutch

Parties

Applicant: Andreas Kalmár (The Hague, Netherlands) (represented by: D. C. Coppens, lawyer)

Defendant: Europol (represented by: D. Neumann and D. El Khoury, agents, and by B. Wägenbauer, lawyer)

Re:

Annulment of the decisions of Europol of 4 and 24 February 2009 concerning the applicant's dismissal and his suspension for the period of notice. In addition, application for compensation for the non-material harm suffered by the applicant.

Operative part of the judgment

The Tribunal:

1. annuls the decision of 4 February 2009 whereby the Director of Europol terminated Mr Kalmár's fixed-term contract, the decision of 24 February 2009 whereby the Director of Europol relieved him of the duty to serve his period of notice, and the decision of 18 July 2009 rejecting his complaint;
2. orders Europol to pay the applicant a sum of EUR 5 000 in damages;
3. dismisses the action for the remainder;
4. orders Europol to bear its own costs and to pay the costs of Mr Kalmár.

⁽¹⁾ OJ C 24, 30.1.2010, p. 80.

Judgment of the Civil Service Tribunal (Third Chamber) of 13 April 2011 — Scheefer v Parliament

(Case F-105/09) ⁽¹⁾

(Staff case — Temporary staff — Renewal of a fixed-term contract — Reclassification of a contract for a fixed period as a contract for an indefinite period — First paragraph of Article 8 of the CEOS)

(2011/C 252/110)

Language of the case: French

Parties

Applicant: Séverine Scheefer (Luxembourg, Luxembourg) (represented by: R. Adam and P. Ketter, lawyers)

Defendant: European Parliament (represented by: R. Ignătescu and L. Chrétien, then by R. Ignătescu and S. Alves, agents)

Re:

Application for annulment of the defendant's decisions refusing to convert the applicant's temporary staff contract into a contract for an indefinite period in accordance with the first paragraph of Article 8 of the CEOS, and application for compensation for the loss suffered by the applicant.

Operative part of the judgment

The Tribunal:

1. annuls the decision contained in the letter of 12 February 2009 whereby the Secretary-General of the European Parliament informed Ms Scheefer, first, that it had not been possible to find any legally acceptable solution to enable her to continue working within the medical service at Luxembourg (Luxembourg) and, secondly, that her temporary staff contract would end on 31 March 2009;
2. orders the European Parliament to pay to Ms Scheefer the difference between, (i) the amount of the remuneration which she would have earned if she had continued to be employed by the Parliament and (ii) the amount of the remuneration, fees, unemployment benefit or any other allowance in lieu which she has in fact received since 1 April 2009 in place of the remuneration which she was receiving as a member of the temporary staff;
3. dismisses the action as to the remainder;
4. orders the European Parliament to bear its own costs and to pay those of Ms Scheefer.

⁽¹⁾ OJ C 37, 13.2.2010, p. 52.