

ORDER OF THE COURT OF FIRST INSTANCE (Third Chamber)  
28 June 2000

Case T-338/99

**Lili Karoline Schuerer**  
v  
**Council of the European Union**

(Retirement pension – Weighting – Action for annulment – Inadmissibility)

Full text in German . . . . . II - 599

Full text in all languages in ECR, Section II

**Application for:** a declaration that, by applying to the calculation of the applicant's pension a weighting for Germany which was not fixed on the basis of the cost of living in Berlin, the Council has infringed the EC Treaty.

**Decision:** The application is dismissed as inadmissible. The applicant is ordered to pay the costs.

## Summary

*Procedure – Application initiating proceedings – Requirements as to form – Subject-matter of the dispute to be indicated – Pleas in law relied upon to be briefly stated*

Under the first paragraph of Article 19 of the Statute of the Court of Justice, applicable to proceedings before the Court of First Instance by virtue of the first paragraph of Article 46 of the same statute, and under Article 44(1)(c) and (d) of the Rules of Procedure of the Court of First Instance, the application must contain, amongst other things, the subject-matter of the dispute, the forms of order sought and a brief statement of the pleas in law. Irrespective of any question of terminology, the particulars must be sufficiently clear and precise to enable the defendant to prepare the defence, and the Court of First Instance to rule on the application without having to request further information, as the case may be. In order to guarantee legal certainty and sound administration of justice it is necessary, for an action to be admissible, that the basic matters of law and fact relied on be indicated, at least in summary form, coherently and intelligibly in the application itself.

(see paras 18 and 19)

See: T-154/98 *Asia Motor France and Others v Commission* [1999] ECR II-1703, para. 49;  
T-145/98 *ADT Projekt v Commission* [2000] ECR II-387, para. 66