

## COURT OF FIRST INSTANCE

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 17 June 2003

in Case T-385/00 **Jean-Paul Seiller v European Investment Bank** <sup>(1)</sup>**(European Investment Bank — Staff — Admissibility — Clarity of the application — Confirmatory act — Action brought late — Previous conciliation procedure — Pension rights — Luxembourg law — Settlement — Fraudulent misrepresentation)**

(2003/C 226/32)

*(Language of the case: French)*

In Case T-385/00 Jean-Paul Seiller, residing in Luxembourg, represented by D. Chouanier and L. Thielen, lawyers, with an address for service in Luxembourg, against European Investment Bank (Agents: E. Uhlmann, C. Gómez de la Cruz and P. Mousel) — application for payment of the sum of LUF 4779652, together with interest, due to him in respect of his pension rights — the Court of First Instance (Fifth Chamber), composed of R. García-Valdecasas, President, and P. Lindh and J.D. Cooke, Judges; D. Christensen, Administrator, for the Registrar, has given a judgment on 17 June 2003 in which it:

1. Dismisses the application;
2. Orders the applicant to bear his own costs and to pay those incurred by the EIB.

<sup>(1)</sup> OJ C 61 of 24 February 2001.

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 8 July 2003

in Case T-132/01: **Euroalliages and Others v Commission of the European Communities** <sup>(1)</sup>**(Dumping — Decision terminating expiry review — Community interest — Application for annulment)**

(2003/C 226/33)

*(Language of the case: French)*

In Case T-132/01: Euroalliages, established in Brussels (Belgium), Péchiney électrometallurgie, established in Courbevoie (France), Vargön Alloys AB, established in Vargön (Sweden), Ferroatlántica, SL, established in Madrid (Spain),

represented by D. Voillemot and O. Prost, lawyers, supported by the Kingdom of Spain (Agent: L. Fraguas Gadea), against Commission of the European Communities (Agents: V. Kreuzschitz, S. Meany and A.P. Bentley), supported by TNC Kazchrome, established in Almaty (Kazakhstan) and by Alloy 2000 SA, established in Strassen (Luxembourg), represented by J. Flynn, J. Magnin and S. Mills — application for partial annulment of Commission Decision 2001/230/EC of 21 February 2001 terminating the anti-dumping proceeding concerning imports of ferro-silicon originating in Brazil, the People's Republic of China, Kazakhstan, Russia, Ukraine and Venezuela (OJ 2001 L 84, p. 36) in so far it concerns imports originating in the People's Republic of China, Russia, Ukraine and Kazakhstan — the Court of First Instance (Second Chamber, Extended Composition), composed of N.J. Forwood, President, J. Pirrung, P. Mengozzi, A.W.H. Meij and M. Vilaras, Judges; Registrar: J. Palacio Gonzalez, Principal Administrator, has given a judgment on 8 July 2003, in which it:

1. Dismisses the action;
2. Ordered the applicants to bear their own costs and, jointly and severally, those incurred by the Commission and by the interveners TNC Kazchrome and Alloy 2000, including the costs of the interlocutory proceedings;
3. Ordered the Kingdom of Spain, intervener, to bear its own costs.

<sup>(1)</sup> OJ No C 227 of 11.8.01.

## JUDGMENT OF THE COURT OF FIRST INSTANCE

of 17 July 2003

in Case T-81/02 **Margot Wagemann-Reuter v Court of Auditors of the European Communities** <sup>(1)</sup>**(Staff case — Leave on personal grounds — Vacant post — Upgrading of post — Reinstatement)**

(2003/C 226/34)

*(Language of the case: French)*

In Case T-81/02 Margot Wagemann-Reuter, an official of the Court of Auditors of the European Communities, residing in Luxembourg, represented by M.-A. Lucas, lawyer, with an address for service in Luxembourg, against the Court of Auditors of the European Communities (Agents: originally, J.-M. Stenier, P. Giusta and B. Schäfer, later J.-M. Stenier, M. Bavendam and I. Riagáin) — application for, first,

annulment of the implied decision of the Court of Auditors rejecting the applicant's request for reinstatement following leave on personal grounds of 22 January 2001, and the Court of Auditors' decision of 12 December 2001 rejecting the complaint lodged by the applicant on 14 August 2001 and, second, compensation for material and non-material loss allegedly suffered by the applicant, — the Court of First Instance (R. García-Valdecasas, single Judge); J. Plingers, Administrator, for the Registrar, has given a judgment on 17 July 2003, in which it:

1. *Dismisses the application;*
2. *Orders the parties to bear their own costs.*

(<sup>1</sup>) OJ No C 131 of 1 June 2002.

#### ORDER OF THE COURT OF FIRST INSTANCE

of 25 June 2003

**in Case T-287/02 Asian Institute of Technology v Commission of the European Communities** (<sup>1</sup>)

*(Action for annulment — Decision to conclude a research contract — Time-limit — Inadmissible)*

(2003/C 226/35)

*(Language of the case: French)*

In Case T-287/02: Asian Institute of Technology (AIT), whose registered office is at Pathumthani (Thailand), represented by H. Teissier du Cros, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agents: P. Kuijper and B. Schöfer) — application for annulment of the decision of the Commission of 4 July 2000 to conclude a research contract under the 'Asia-Invest' programme with the Center for Energy-Environment Research and Development — the Court of First Instance (Fifth Chamber), composed of R. Garcia-Valdecasas, President, P. Lindh and J.D. Cooke, Judges; H. Jung, Registrar, has given a judgment on 25 June 2003, in which it:

1. *Dismisses the application as inadmissible.*
2. *Orders the applicant to pay its own costs and those incurred by the Commission.*

(<sup>1</sup>) OJ C 289, 23.11.2002.

#### ORDER OF THE PRESIDENT OF THE COURT OF FIRST INSTANCE

of 15 May 2003

**in Case T-47/03 R: Jose Maria Sison v Council of the European Union**

*(Interlocutory proceedings — Restrictive measures with a view to combating terrorism — Freezing of funds — Disallowance of benefits — Partial inadmissibility of the orders sought — Urgency — Absence)*

(2003/C 226/36)

*(Language of the case: English)*

In Case T-47/03 R, Jose Maria Sison, resident in Utrecht (the Netherlands), represented by J. Fermon, A. Comte, H.E. Schultz, D. Gurses, T. Olsson and J. Lamchek, lawyers, against Council of the European Union (Agents: M. Vitsentzatos and M. Bishop): Application for, first, an order suspending the operation of Decision 2002/974/EC implementing Article 2 (3) of Regulation No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2002/848/EC (OJ 2002 L 337, p. 85) in so far as it mentions the name of the applicant, second, an order requesting the Council not to include the applicant in any new decision implementing Article 2(3) of Regulation No 2580/2001 and, third, an order requesting the Council to inform all Member States that the restrictive measures adopted in relation to the applicant have no legal basis, the President of the Court of First Instance made an order on 15 May 2003, the operative part of which is as follows:

1. *The application for interim relief is dismissed;*
2. *Costs are reserved.*

#### ORDER OF THE COURT OF FIRST INSTANCE

of 16 May 2003

**in Case T-140/03: Forum 187 ASBL v Commission of the European Communities** (<sup>1</sup>)

*(Declining of jurisdiction)*

(2003/C 226/37)

*(Language of the case: English)*

In Case T-140/03, Forum 187 ASBL, represented by A. Sutton and J. Killick, Barristers, v Commission of the European Communities (Agents: V. Di Bucci, R. Lyal and G. Rozet):