

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-1/02, Robert Polinsky v Court of Justice of the European Communities** ⁽¹⁾**(Officials — Action for damages — Exposure to asbestos — Occupational disease — Damage)**

(2004/C 314/32)

(Language of the case: French)

In Case T-1/02, Robert Polinsky, an official of the Court of Justice of the European Communities, residing in Thionville (France), represented by J. Iturriagoitia Bassas, lawyer, against Court of Justice of the European Communities (Agent: M. Schauss, with an address for service in Luxembourg) — application for damages for the physical harm and the non-material, professional and financial loss allegedly suffered by the applicant — the Court of First Instance (Fourth Chamber), composed of: H. Legal, President, V. Tiili and M. Vilaras, Judges; J. Palacio González, Principal Administrator, for the Registrar, has given a judgment on 14 October 2004, in which it:

- 1) *Dismisses the action;*
- 2) *Orders the parties to bear their own costs.*

⁽¹⁾ OJ C 84 of 6.4.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-44/02: Dresdner Bank AG v Commission of the European Communities** ⁽¹⁾**(Competition — Article 81 EC — Price-fixing agreement and ways of charging for currency exchange services — Germany — Procedure in default)**

(2004/C 314/33)

(Language of the case: German)

In Case T-44/02: Dresdner Bank AG, established in Frankfurt am Main (Germany), represented by M. Hirsch and W. Bosch, lawyers, with an address for service in Luxembourg, against Commission of the European Communities — application for annulment of Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty — (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) (OJ 2003 L 15, p. 1) — the Court of First Instance

(Fifth Chamber), composed of P. Lindh, President, R. García-Valdecasas and J.D. Cooke, Judges; H. Jung, Registrar, has given a judgment on 14 October 2004, in which it:

1. *Annuls Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) in so far as it concerns the applicant;*
2. *Orders the Commission to pay the costs.*

⁽¹⁾ OJ C 109 of 4.5.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-54/02: Vereins- und Westbank AG v Commission of the European Communities** ⁽¹⁾**(Competition — Article 81 EC — Price-fixing agreement and ways of charging for currency exchange services — Germany — Procedure in default)**

(2004/C 314/34)

(Language of the case: German)

In Case T-54/02: Vereins- und Westbank AG, established in Hamburg (Germany), represented by J. Schulte, M Ewen and A. Neus, lawyers, with an address for service in Luxembourg, against Commission of the European Communities — application for annulment of Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty — (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) (OJ 2003 L 15, p. 1) — the Court of First Instance (Fifth Chamber), composed of P. Lindh, President, R. García-Valdecasas and J.D. Cooke, Judges; H. Jung, for the Registrar, has given a judgment on 14 October 2004, in which it:

1. *Annuls Commission Decision 2003/25/EC of 11 December 2001 relating to a proceeding under Article 81 of the EC Treaty (Case COMP/E — 1/37.919 (ex 37.391) — Bank charges for exchanging euro-zone currencies — Germany) in so far as it concerns the applicant;*
2. *Orders the Commission to pay the costs.*

⁽¹⁾ OJ C 97 of 20.4.2002.