

**Order of the Court of First Instance of 6 March 2006 —
Marcuccio v Commission**

(Case T-176/04) ⁽¹⁾

(Officials — Social security benefits — Access to information about the existence of a medical report — Transmission after the action was brought — No need to adjudicate)

(2006/C 121/20)

Language of the case: Italian

Parties

Applicant: Luigi Marcuccio (Tricase, Italy) (represented by: A. Distante, lawyer)

Defendant: Commission of the European Communities (represented by: J. Currall and C. Berardis-Kayser, acting as Agents, assisted by A. Dal Ferro, lawyer)

Re:

Application for, in the first place, annulment of the Commission's implied decision rejecting the applicant's request to be sent a medical report or the written confirmation that that report does not exist; in the second place, annulment of the Commission's implied decision rejecting the complaint made about the rejection of that request and, in the third place, a declaration of the applicant's right to have the claims in his request and in his complaint granted.

Operative part of the order

1. *There is no further need to adjudicate on the action.*
2. *The Commission is to bear its own costs and to pay those incurred by the applicant before the notification of the defence. The applicant is to bear his own costs incurred after the notification of the defence.*

⁽¹⁾ OJ C 179, 10.7.2004.

**Order of the Court of First Instance of 22 March 2006 —
Strack v Commission**

(Case T-4/05) ⁽¹⁾

(Officials — Official informing OLAF of possible irregularities — Decision of OLAF to close the investigation — Act adversely affecting an official — Standing to bring proceedings — Inadmissibility)

(2006/C 121/21)

Language of the case: German

Parties

Applicant: Guido Strack (Wasserliesch, Germany) (represented by: R. Schmitt, lawyer)

Defendant: Commission of the European Communities (represented by: C. Ladenburger and H. Kraemer, acting as Agents)

Re:

First, an application for annulment of the decision of the European Anti-Fraud Office (OLAF) of 5 February 2004 to close the investigation number OF/2002/0356 and the final case report on which that decision was based dated 5 February 2004 and, secondly, an application to reopen that investigation and to draw up a new final case report.

Operative part of the order

1. *The application is dismissed as inadmissible.*
2. *Each party shall bear its own costs.*

⁽¹⁾ OJ C 57, 5.3.2005.