

Order of the President of the Court of First Instance of 26 June 2006 — Olympiakes Aerogrammes v Commission

(Case T-416/05 R)

(Interim measures — Application for a suspension of operation — State aid — Urgency)

(2006/C 224/98)

Language of the case: Greek

Parties

Applicant: Olympiakes Aerogrammes AE (Kallithea, Greece) (represented by: V. Christianos, lawyer)

Defendant: Commission of the European Communities (represented by: D. Triantafyllou and T. Scharf, acting as Agents)

Re:

Application for a suspension of operation of Article 2, combined with Article 1(1) of Commission Decision C 11/2004 on State aid (ex NN 4/2003) — Olympiaki Aeroporia — Restructuring and privatisation, of 14 September 2005

Operative part of the order

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

Order of the President of the Court of First Instance of 7 July 2006 — Romana Tabacchi v Commission

(Case T-11/06 R)

(Application for interim measures — Application for suspension of operation — Competition — Payment of a fine — Bank guarantee — Prima facie cases — Urgency — Weighing up of interests — Partial and conditional suspension)

(2006/C 224/99)

Language of the case: Italian

Parties

Applicant: Romana Tabacchi (Rome, Italy) (represented by: M. Siragusa and G.C. Rizza, lawyers)

Defendant: Commission of the European Communities (represented by: E. Grippini Fournier and F. Amato, agents)

Re:

Application for suspension of the operation of the Commission Decision of 20 October 2005 relating to a proceeding under Article 81(1) EC (Case COMP/C.38.281/B.2 — Raw tobacco — Italy) in so far as it imposes a fine of EUR 2,05 million on the applicant, together with an application for an exemption from the obligation to provide a bank guarantee as a condition for that fine not being recovered immediately.

Operative part of the order

- (1) *The obligation on Romana Tabacchi SpA to provide to the Commission a bank guarantee in order to avoid immediate recovery of the fine imposed on it by Article 2 of the Commission Decision of 20 October 2005 relating to a proceeding under Article 81(1) of the EC Treaty (Case COMP/C.38.281/B.2 — Raw tobacco — Italy) is suspended on the following terms:*
 - (a) *within a period of two weeks of notification of this order, the applicant shall:*
 - *provide a bank guarantee of EUR 400 000;*
 - *pay to the Commission the sum of EUR 200 000;*
 - (b) *within a period of three months of notification of this order, the applicant shall pay to the Commission the sum of EUR 330 000;*
 - (c) *with effect from 1 January 2007, the applicant shall pay to the Commission the sum of EUR 100 000 per month until the first of the following two events occurs:*
 - *payment of the balance of the fine remaining due, together with the interest set out by the Commission in its letter of notification of the decision to impose the fine, dated 9 November 2005;*
 - *judgment in the main proceedings.*
- (2) *The costs are reserved.*

Action brought on 28 June 2006 — Bavaria v Council

(Case T-178/06)

(2006/C 224/100)

Language of the case: Dutch

Parties

Applicant: Bavaria N.V. (represented by: G. van der Wal, lawyer)

Defendant: Council of the European Union